

SPECIAL REPORT

AND

REPORT

FROM THE

SELECT COMMITTEE

ON

UNION OFFICERS' SUPERANNUATION
(IRELAND) BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, to be Printed,
11 August 1882.

UNION OFFICERS' SUPERANNUATION (IRELAND) BILL.

Ordered,—[Saturday, 22nd July 1882] :—THAT the Bill be read a second time, and committed.

Ordered,—[Saturday, 5th August 1882] :—THAT the Select Committee consist of Sixteen Members.

Committee nominated of—

Mr. Attorney General for Ireland.	Sir Patrick O'Brien.
Mr. Healy.	Mr. Herbert Gladstone.
Mr. Justin McCarthy.	Colonel Tottenham.
Mr. Meldin.	Mr. Mulholland.
Mr. Gibson.	Mr. Callan.
Mr. Fitzpatrick.	Mr. Grose.
Captain Aylmer.	Mr. Findlater.
Mr. Baggot.	Mr. Daly.

THAT the Committee have power to send for Persons, Papers, and Records.

THAT Five be the Quorum of the Committee.

Ordered,—[Tuesday, 8th August 1882] :—THAT Mr. Attorney General for Ireland be discharged, and that Mr. Solicitor General for Ireland be added to the Committee.

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SPECIAL REPORT.

THE SELECT COMMITTEE to whom the UNION OFFICERS' SUPERANNUATION (IRELAND) BILL was referred;—HAVE agreed to the following SPECIAL REPORT:—

YOUR COMMITTEE are of opinion that, at this late period of the Session, it is not possible to complete the evidence which bears on the Bill referred to them; that it is therefore not desirable to proceed further with the said Bill during the present Session, and that it be reported to the House without Amendment, together with the Minutes of Evidence taken before them, and Appendices.

Your Committee further report that the Chairman and the Solicitor General for Ireland, on the part of the Government, expressed their willingness to accede to the principle of the following Amendments; (that is to say):—

Clause 2, page 1,—

Line 7, after ("Act") insert ("The board of guardians of every union in Ireland shall with the sanction of").

Line 9, after ("Board") leave out ("may if they think fit").

After ("to") leave out ("any"), insert ("every").

After ("officer") insert ("belonging to that union").

Line 17, leave out ("not exceeding"), insert ("of").

Line 20, leave out ("not exceeding"), insert ("of").

Line 23, leave out ("not exceeding"), insert ("of").

Line 26, leave out ("not exceeding"), insert ("of").

Clause 3, page 2,—

Line 11, at the beginning of the line insert ("The board of guardians of any union with the sanction of").

Line 21, after ("fit") insert ("with the like sanction").

New Clause to follow Clause 3:

"Whenever an application is made to the Local Government Board to sanction the grant to any union officer by a board of guardians of a superannuation allowance or gratuity under this Act, it shall be lawful for the Local Government Board either to sanction or to refuse to sanction such grant, or to sanction the grant of a superannuation allowance or gratuity to such officer of such less amount than otherwise would have been awarded to him, as the Local Government Board may determine, where the defaults or demerit of such officer in relation to the union service appear to them to justify such diminution."

Local Government Board may reduce any pension.

REPORT.

THE SELECT COMMITTEE to whom the UNION OFFICERS' SUPERANNUATION (IRELAND) BILL was referred, have agreed to report the same, without Amendment.

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PROCEEDINGS OF THE COMMITTEE.

Tuesday, 8th August 1882.

MEMBERS PRESENT:

Mr. Herbert Gladstone.	Mr. Daly.
Mr. Biggar.	Sir Patrick O'Brien.
Mr. Callan.	Mr. Healy.
Mr. Attorney General for Ireland.	Mr. Findlater.

Mr. HERBERT GLADSTONE was called to the Chair.

The Committee deliberated.

[Adjourned till Thursday next.

Thursday, 10th August 1882.

MEMBERS PRESENT:

Mr. HERBERT GLADSTONE in the Chair.

Mr. Findlater.	The Solicitor General for Ireland.
Mr. Daly.	Mr. Meldon.
Mr. Biggar.	Mr. Callan.
Mr. Healy.	Captain Aylmer.
Mr. Justin McCarthy.	Mr. Fitzpatrick.

Mr. Henry Robinson was examined.

[Adjourned till To-morrow, at Twelve o'clock.

Friday, 11th August 1882.

MEMBERS PRESENT:

Mr. HERBERT GLADSTONE in the Chair.

Mr. Findlater.	Mr. Meldon.
Mr. Daly.	Mr. Justin McCarthy.
Mr. Biggar.	Colonel Tottenham.
Mr. Solicitor General for Ireland.	Mr. Healy.
Mr. Callan.	Captain Aylmer.
Mr. Gibson.	Sir Patrick O'Brien.

The Committee deliberated.

Dr. Archibald Jacob was examined.

Mr. Henry Robinson was further examined.

Upon a Question being put by Mr. Callan, "Was it of your own mere motion or on a suggestion from a person, not one of the three regular officials, that Dr. Kenny was dismissed under a sealed order?"—The room was cleared, and the Committee deliberated.—Motion made, and Question put, "That this Question be put to the Witnesses"—(Mr. Biggar).—The Committee divided:

Ayes, 5.

Mr. Biggar.
Mr. Callan.
Mr. Daly.
Mr. Healy.
Mr. Justin McCarthy.

Noes, 2.

Captain Aylmer.
Sir Patrick O'Brien.

Mr. Henry Robinson was farther examined.

Mr. Robert Stewart, Dr. Thomas Joseph Moore, and Mr. Joseph Cope were examined.

The room was cleared, and the Committee deliberated.

SPECIAL REPORT proposed by the Chairman, read the first and second time.

Question, That this Report be the Special Report of the Committee to the House,—put, and agreed to.

Ordered, To Report the Bill, without Amendment, to the House, together with the Minutes of Evidence, and an Appendix.

EXPENSES OF WITNESSES.

NAME OF WITNESS.	Profession or Condition.	From whence detained.	Number of Days Absent from House, under Orders of Committee.	Allowance during Absence from House.	Expenses of Journey to London and back.	TOTAL Expenses allowed to Witness.
Dr. A. H. Jacob.	Physician.	Dublin.	4	£. s. d. 12 12 -	£. s. d. 5 9 -	£. s. d. 18 1 -
Bernard Coleman.	Magistrate.	Dundalk.	4	4 4 -	6 4 -	10 8 -
John Deasy.	Gentleman.	Cork.	5	5 5 -	6 2 -	11 7 -
Robert Stewart.	Attorney, &c.	Dublin.	3	3 3 -	6 10 -	9 13 -
J. McCann.	Merchant.	Cannon.	4	4 4 -	6 11 -	10 15 -
T. H. Adams.	Clerk.	Dublin.	5	5 5 -	5 9 -	10 14 -
Joseph Cope.	Clerk.	Dublin.	5	5 5 -	5 9 -	10 14 -
T. J. Moore.	Physician.	Louth.	4	12 12 -	6 7 -	18 19 -
TOTAL - - - £.						100 11 -

LIST OF WITNESSES.

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MINUTES OF EVIDENCE.

Thursday, 10th August 1882.

MEMBERS PRESENT:

Captain Aylmer.
Mr. Baggot.
Mr. Callan.
Mr. Daly.
Mr. Finlatter.
Mr. Fitzpatrick.

Mr. Herbert Gladstone.
Mr. Healy.
Mr. Justin McCarthy.
Mr. Meldoa.
Mr. Solicitor General for Ireland.

Mr. HERBERT GLADSTONE, IN THE CHAIR.

Mr. HENRY ROBINSON, Examined.

1. *Chairman.*] You are Vice President of the Local Government Board in Ireland?—I am.

2. Will you tell the Committee how long you have held office?—I have held the office of Vice President about three years and a-half, and before that time I had been for about 28 years connected with the poor law administration as an Inspector.

3. Will you describe to the Committee the existing state of the law with regard to the superannuation of poor law officers in Ireland?—Up to the year 1865 a superannuation allowance could not be given to union officers; but at present there are three Acts of Parliament in force on the subject. The first Act which was passed in the year 1865, enables boards of guardians, with the consent of the Local Government Board, to "grant to any officer whose whole time has been devoted to the service of the union, and who shall become incapable of discharging the duties of his office with efficiency by reason of permanent infirmity of mind or body, or of old age, upon his resigning or otherwise ceasing to hold his office, an annual allowance not exceeding in any case two-thirds of his then salary." That Act also provides that "no officer shall be entitled to such allowance on the ground of age, who shall not have completed the full age of 60 years, and shall not have served as an union officer for 20 years at the least." Then, in the year 1869, a further Act was passed, which extended the provisions of the previous Act to medical officers, although the whole time of the medical officers may not be devoted to the service of the union. And in 1872 a third Act was passed, which brought the superintendent registrar of births, deaths, and marriages, being the clerk of the union, and the registrar of births, deaths, and marriages, within the operation of the former Acts. It also enabled the officers to receive superannuation allowances upon their emoluments as well as their salaries. The result of this legislation is that any officer who has devoted his whole time to the services of the union, and any medical officer, whether he has devoted his whole time or not, may receive a superannuation allowance not exceeding two-thirds of his salary and emoluments. But, perhaps, it would be

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MR. ROBINSON.

[Continued.]

well that I should take this opportunity of mentioning to the Committee, with reference to the superannuation allowances that are granted to officers, that in consequence of the great diversities of practice which we found to exist amongst the boards of guardians with reference to the amount of allowances granted to the officers, and in consequence of finding that the superannuation allowances proposed were in some instances very disproportionate to the length of service, we found it necessary last year to issue a circular describing to the boards of guardians the principles upon which we should be governed in consenting in future to grant superannuation allowances, and we were governed by the scale laid down in the Civil Service Superannuation Act; but at the same time we stated that officers having special or professional qualifications might receive a certain number of years in addition to their actual service; that is to say, a certain number of additional years might be counted. We thought that it was never intended by the Superannuation Acts that an officer should receive the maximum amount allowed by the Acts irrespective of his length of service; and we also thought it was clear that when the responsibility was placed upon the Local Government Board of consenting to a pension, it was not intended that we should merely act in a ministerial and perfunctory manner, but that we should exercise the control given to us by law for the protection of the ratepayers. Since that time we have sanctioned pensions in accordance with the Civil Service scale, allowing, as I mentioned, some extra years for professional and special qualifications. I may also mention that the same course was adopted in England by the Local Government Board with regard to the officers of their Board, and the same course was adopted in Ireland by the Lord Lieutenant with regard to the officers of the local authorities. So that the poor-law officers in Ireland and in England, and also the officers of the local authorities in Ireland, are in the same position in that respect.

4. Since the issue of the circular all pensions which have been brought to the notice of the Local Government Board have been granted upon the scale you have mentioned:—Yes, all the pensions granted since the date of the Act. There were some pensions which had been granted before the issue of it, but the question had not then been decided. But in the case of any officer who resigned after the date of the circular, in dealing with his pension we were governed by the principles laid down in our circular, giving a very liberal number of years in addition in many cases. With the permission of the Committee, I will beg leave to hand in the English Circular, the Irish Circular, and the Circular of the Lord Lieutenant. (*The same were delivered &c.*) I may observe that the purport of the English Circular is very nearly the same as that of the Irish Circular. The last clause, with regard to the refusal of the guardians to grant pensions, is in ours and not in the English Circular; but in other respects the principles laid down are precisely the same, and precisely the same as those in the circular issued by the direction of the Lord Lieutenant.

5. What is the number of officers who have become superannuated?—The first Act, as I mentioned before, was passed in the year 1865, and from that time to the end of the last financial year, that is to say, to the 29th of September last, being a period of about 16 years, there have been 662 officers granted superannuation allowances, and at the end of the last financial year there were 355 remaining in receipt of those allowances; and the total cost of the pensions last year was 14,987 £, being about a farthing in the pound on the valuation of Ireland; and the expenditure in reference to new pensions granted during each of the three last years was as follows: There were new pensions granted in 1879 to 45 officers, at a cost of 1,971 £; in the year ending September 1880 there were 43 officers, to whom pensions were granted at a cost of 2,020 £, and in the year ending 1881, there were 55 officers pensioned at a cost of 2,335 £.

6. Is it your opinion that the existing Acts have worked well?—It is not my opinion; my opinion is that the operation of the existing law has been very unsatisfactory and unjust to the union officers, and prejudicial to the interests of the public service. I consider that it is unjust to the officers, because they have no security that they will ever receive superannuation allowances on retiring from the service. There are many instances, indeed, in which
pensions

pensions have been refused, and in which very great hardship has been inflicted in consequence upon the union officers. There was a Return called for in the year 1880 of the medical officers who have retired since the passing of this Act, Mr. Meldom's Return; and this year there was a similar Return prepared and laid upon the Table of the House with regard to all the other officers, exclusive of the medical officers; and in looking through those Returns, there are some very striking cases indeed of hardship. I will mention two or three, if the Committee wish, but I believe that witnesses will come after me on behalf of the union officers, who will perhaps give more full information upon the subject. But I may mention two or three cases which struck me very forcibly. Taking one union, there was a fever hospital nurse, who was 70 years of age, and she had served over 24 years, nearly 25, and she was refused a pension on retiring.

7. *Mr. Meldom.* Where shall we find that?—These are a few of the cases extracted from your Return, and from the Return of the union officers who have been retired since 1865.

8. Amongst which Returns will that be?—In the Cavan Union.

9. *Chairman.* Was any reason given for refusing a pension in that case?—The clerk of the union in furnishing the Return stated that the objection of the guardians was an objection on principle to granting any person in future a pension.

10. Did he state what that principle was?—No. I can only read the observations of the clerk on that case.

11. *Mr. Healy.* Under this scale what would this lady have been entitled to after 24 years' service?—Under the Bill she would be entitled to 24-60ths of her salary; but I have not got a statement of the salary here.

12. *Chairman.* What would she be entitled to under the Civil Service Act?—She would be entitled to 24-60ths of her salary and emoluments, which form a very considerable item of what is paid to resident officers. I have another case in which a nurse 70 years of age, and with 22 years of service, resigned from bodily infirmity, and she was refused a pension, and the clerk says that it was considered that she ought to have saved money out of her salary, which I find was only 12 l. a year.

13. *Mr. Doherty.* In what union was that?—That was in the Ballymena Union.

14. *Mr. Healy.* Could you give us any idea what addition to the 12 l. a-year her emoluments would have been?—They would be a great deal more than her salary. I should think that her notions would probably be valued at about 18 l. or 20 l. a year, and she would be allowed also something in respect of her other emoluments; for instance, the value of her apartments and light and fire, and I should say that between 20 l. and 26 l. a year would be the value on the average of an officer's notions.

15. Altogether she would be in receipt of 40 l. a year?—I should say probably about 35 l. a year.

16. *Mr. Biggar.* And she would be entitled to two-fifths of that?—A little more than a third. I have another case, in which the master of a workhouse who had served for 24 years, and was 67 years of age, resigned from bodily infirmity at that age, and he was refused a pension and no reason given. Another officer in Donegal, 68 years of age, with 16 years of service, who retired from ill-health, was also refused.

17. In what union was that?—The first of these two cases was in Cootehill, the second in Donegal.

18. *Chairman.* Is it not the case that a union officer has to resign one month before the question of a pension would be considered by the board of guardians?—The guardians must give a month's notice of their intention to grant a pension, and that notice cannot be given until the officer has actually resigned.

19. *Mr. Doherty.* What was the age of the person that you last alluded to who had 16 years' service?—Sixty-eight years of age; and in that case there was a division in the board of guardians about refusing; the guardians were equally divided, and they gave no reason for it. Consequently, there being an equal division, the motion was lost, and the officer received nothing.

20. *Chairman.* When an officer resigns he has no notion, I presume, whether he will be granted a pension, or not?—I think he has a pretty good notion, but he has no certainty whether he will get it or not.

21. *Mr. Callan.* Is it through the default of the guardians, or through the default

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Mr. ROBINSON.

[Continued.]

default of the Act that he has no assurance?—Under the Act the guardians cannot pass the resolution until after he has resigned.

22. Therefore it is not through the default of the guardians, it is through the default of the Act?—I do not exactly understand what you mean by saying through the default of the Act. The Act does not enable the guardians to pass a resolution on the subject until more than a month after the man resigns; and unless he has got private information as to which way the guardians will vote, he is in a state of uncertainty.

23. Therefore if any injury accrues to the officer from the circumstance, it is through the Act, and not through the default of the guardians?—Certainly. I have another bad case here, that of a fever hospital nurse, 78 years of age, with 28 years' service; and the reason given by the clerk for the guardians refusing her a pension was that they were totally opposed to superannuation allowances.

24. Mr. *Solicitor General for Ireland*.] As a matter of fact, is it necessary that the officer should resign a month before he knows whether he will get any pension, or not?—At least a month before, because notice cannot be given until he has resigned, and then it takes a full month before the guardians can consider the subject.

25. Mr. *Biggan*.] In what union did this case of the hospital nurse occur?—In the Ennisecorby Union.

26. Mr. *Daly*.] Are you aware whether in the case of any of those officers when they undertook the duties there was an agreement with the Board that they should not apply for a superannuation allowance?—No, I have never heard of an instance of that sort.

27. I know of my own knowledge that in a similar situation a person accepted it who was over 45 years of age, and that the appointment is sometimes accompanied with that provision?—I have never heard of a case of that sort, and were that arrangement made it would be inoperative, because one board of guardians cannot control the action of a future board; and if one board of guardians entered into such an agreement with an officer, a future board would not be bound to abide by it.

28. Mr. *Solicitor General for Ireland*.] Has any reason ever been alleged by such boards, for the refusal, that there was such a contract?—I have never heard of it. I have a case before me of the clerk of a union, who was 38 years in the service, and he was 68 years of age. He resigned, and was allowed nothing, and there was no reason given for it.

29. Mr. *Callan*.] Where was that?—That was at Newtown Ards. I have another case of a fever hospital nurse, 68 years of age, in the Thomas Town Union, and with 25 years of service, and no reasons there have been given. These are a few of the cases which I have extracted, but the Returns are full of similar cases, and I believe that the representatives of the union officers will probably be able to give the Committee much more striking cases than I have done. I merely give these as a few to show the reasons which make me consider that the union officers have been very hardly dealt with in many cases.

30. Mr. *Melden*.] Do you happen to know of any instances in which boards of guardians have acted rather too liberally?—Yes, several instances; and that was what caused us to issue our circular in November 1881.

31. Could you refer us to any particular instances in those Returns which unfortunately have not been printed as yet?—I could do so.

32. *Chairman*.] In your opinion, I suppose a large number of the present union officers are inefficient, owing to age and infirmity?—I would not go so far as to say a large proportion. I believe there are a great number, but those cases do not come officially before us. Unless an officer is removed for some neglect of duty no cases come before us; but an officer may be of an age that he cannot perform his duties very efficiently, and still he may not be actually reported.

33. He would probably have to employ a substitute in many cases?—No, I do not think that would be allowed, excepting as a temporary measure.

34. Mr. *Daly*.] Did I understand you to say that the reason for the issue of the circular of 1881 was that superannuation allowances had been awarded to officers more than the Local Government Board approved of?—It was the practice for some years after the Act passed to allow the guardians to do very much

much as they pleased, and then it was found that they exceeded what we thought right and reasonable, and moreover, there was such a diversity of practice, and the amounts given were so very disproportionate, that on those grounds we were influenced to issue the circular.

35. Were they the sole grounds?—The sole grounds.

36. *Chairman.*] With regard to those union officers who appear to have reached a considerable age, I suppose they do not resign because they are afraid that pensions will not be granted them?—There were some very striking cases mentioned by the members of a deputation who attended before the Chief Secretary last year; cases in which officers had remained in office when they were quite unfit to discharge their duties with activity and efficiently; but, as I stated before, those cases do not come before us except in very rare instances. I think you will probably get those cases repeated by some of the members who were on the deputation to the Chief Secretary. Mr. Meldon asked me about officers who had been granted very large sums. The returns published in our Annual Report show numerous cases in which officers were granted the full amount which could be awarded them, although their service was very short. For instance, I have a case here in which an assistant clerk, who had only nine years' service, and was in receipt of a salary of 90*l.* a year, and the guardians gave him the full two-thirds of his salary; they gave him 60*l.* a year. That is to be found in our Annual Report, in the return of officers, but I find that he is dead now.

37. *Mr. Solicitor General for Ireland.*] What was the age of that officer?—He was 55 years of age.

38. *Mr. Biggar.*] What union was that in?—That was in the North Dublin Union.

39. *Mr. Callan.*] Were there exceptional circumstances attending his case?—I am not aware of any; as I said before, it was our usual practice at that time to allow the guardians very much to exercise their own discretion and not to interfere, because no distinct rule had been laid down about it; and in fact, it was not until a circular was issued in which we notified to the guardians what the principles would be that would govern us, that we interfered very much.

40. *Mr. Daly.*] With regard to the person who was superannuated at 55 years of age after nine years' service, and got 60*l.* a year, were there any circumstances peculiar to his case which induced the guardians to accept his retirement at 55 years of age and grant him two-thirds of his salary?—He was obliged to retire from infirmity of body; he was unable to discharge the duties of his employment as assistant clerk. I do not know of any exceptional circumstances which would make it right that he should have had two-thirds of his salary. I have another case in which an infirm nurse, with less than 10 years' service, and the whole of whose salary and rations amounted to 37*l.* 10*s.*, and she got 15*l.* a year; she was 62 years of age. I have another case, in which an officer, the apothecary of the Drogheda Union, was under 61 years of age; he had served for 10 years; his emoluments were 75*l.*, and he got 50*l.* a year.

41. *Mr. Healy.*] In the case of those excessive pensions, is there anything to show how long the recipients of the pensions lived?—This pension to the assistant clerk of the North Dublin Union was granted in April 1873, and he died in February 1877. This infirm nurse whom I mentioned, I think, is alive still. The apothecary in the Drogheda Union was given a pension in 1874, and he died the next year, so that he probably was very ill at the time. I find in another case, the clerk of another union, after 20 years' service, got two-thirds of his salary of 100*l.* a year. There are numerous cases of that sort which I mention just to show what induced us to think it necessary to exercise the discretion which is vested in us by the law.

42. *Chairman.*] Have you anything further to say with regard to the working of the Acts?—I mentioned that I thought that the present system was injurious to the public service, and my reason for expressing that opinion is just what you have alluded to in one of your former questions, that many officers, long after they are unable to discharge their duties efficiently, are induced to remain in the service, because they do not believe that they will be able to receive a pension, or at all events, will not be certain of a pension when they retire.

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Mr. ROBINSON.

[Continued.]

43. Mr. *Finslater*.] Then I suppose it would be necessary before a man gave notice of retirement, that he should sound the guardians to see what their tone of feeling was towards him?—Certainly, that is the case; and the officers can only know from private information that they can obtain as to how the guardians will vote, and from their knowledge of the guardians, and of the disposition of the guardians towards each officer; I think that is placing officers in a very unsatisfactory and degrading position.

44. Mr. *Solicitor General for Ireland*.] Are you aware whether there is any fixed rule laid down by any board of guardians in this matter for themselves; do any board of guardians act upon a regular system?—No, they cannot make any fixed rule, for the reason that I mentioned before, that one board of guardians could not in such a matter influence the actions of a future board; but they may have an understanding amongst themselves, which, of course, I am unable to express an opinion upon, but from the fact that some unions have never given any pensions, and have always refused them, there can be no doubt whatever that the guardians of those unions have arrived at some decision and understanding amongst themselves, that they will not grant pensions.

45. How many unions do you know in which you would infer that such an understanding exists from their practice?—That is a question which it is very difficult to answer. There are several unions in which they are not giving pensions, and have refused to give pensions, who at one time did give them, and they have refused since in some cases. I find that there are about 10 unions in Ireland that never gave any pensions. Those at Bantry, Carrickmacross, Castleblaney, Donegal, Irishowen, Killadysent, Mount Bellew, Portloman, Roscrea, and Wexford. I believe that to be a correct return. It does not appear that in all those cases pensions were actually refused.

46. Mr. *Callan*.] Previous to your present appointment you were inspector in the district of Carrickmacross and Castleblaney?—Yes.

47. In the union of Carrickmacross and Castleblaney, in County Monaghan, and in any of the 10 unions in Ireland which have never granted any superannuation allowances, in your opinion have any cases of alleged injustice been brought forward?—I remember, in the Carrickmacross Union, the guardians refused a pension to a medical officer about 65 years of age and 18 years' service. I have no returns from Carrickmacross with reference to any other officer.

48. Have you any cases of injustice in Castleblaney?—In the Castleblaney Union I find that the guardians, in the case of a fever hospital nurse, 65 years of age and 17 years' service, who retired from physical and mental weakness, refused to give her a pension, and I will read you a note upon that case by the clerk of the union. He said, "This woman was afterwards in abject poverty, and applied several times for out-door relief, which was refused. It was, however, very well known that the refusal in this case arose from an unwillingness to give a precedent to other officers who had very long service, but who were, of course, to be refused also for the usual reasons given in such cases."

49. May I ask you, from your knowledge of the Castleblaney Union, is it not one of those unions in which the number of attending guardians are predominantly *ex officio* guardians?—I cannot say that now. I can put in a return of the attendance if the Committee wish it of the guardians of that union.

50. *Chairman*.] You are, of course, acquainted with the provisions of the Bill which we are now considering?—Yes, I am very well acquainted with them.

51. Is it your opinion that it will be an improvement upon the present state of things?—I think that it will. I am very strongly indeed in favour of the provisions of the Bill. I think that it will be a very great improvement in reference to the administration of the poor law in Ireland and the Medical Charities Act, if the Bill should be passed.

52. Can you give the Committee any estimate of the probable cost that will be entailed by the proposed changes?—I think that the cost will be somewhere about the same as it is at present. The pensions may be lower in some cases, but the number will probably at first be larger than the annual average at present. The cost, I see, last year, was 2,335 *l.* Those are the new pensions,

and

and they only came to a fraction, 1-32nd of a penny in the pound in the valuation.

53. *Mr. Healy.*] Do you really think that the amount of pensions will be lower?—Certainly, because they will be governed by the Civil Service scale.

54. Is it not the fact that taking the return, you show that there were certain pensions of 65 *l.* and 70 *l.* a year, but can you state what the average pensions have been all round granted to the medical officers and other officers?—I cannot distinguish medical officers from other officers, but I can state that the average pensions are about 42 *l.* or 43 *l.* a year.

55. I make it out from the Appendix to the Report of the Local Government Board of last year, at page 185, that from 1865 down to the 29th of September 1880 there were 101 doctors receiving pensions?—That return is only a return of the officers who received pensions during that year. It is headed "Union Officers' Superannuation," in continuation of the statements in the previous Report. This is a statement of allowances in force during any portion of the year, and it is merely a statement of the persons who received payments during that year.

56. From these Returns I find that from the 26th of May 1865 down to the 29th of September 1880, there were 101 doctors pensioned, getting a gross pension of 6,830 *l.*, which is an average of 68 *l.*, and that there were 264 other officers of all kinds, receiving a gross amount of 6,842 *l.*, or an average of 26 *l.* each?—That very much corresponds with my statement, that there were only 355 officers altogether.

57. You have stated that the average amount would be about 43 *l.* or 45 *l.*, but I make a distinction between the doctors and these other officers, because if it be true, as you state, that the other officers' pensions would be generally lower, and as a matter of fact the average for the other officers has only been 26 *l.*, distinguishing the other officers from the doctors, and where the doctors get 68 *l.* I can hardly see how you can make out that a less pension than 26 *l.* would be more favourable than the present pension?—I do not take any class of officers separately. I take the whole list of officers; it is only a surmise, for it is impossible to form an accurate opinion upon the subject. I think, as a general rule, the amount in individual cases would be less, because there are so many instances in which an officer has received a great deal higher amount than the Civil Service scale.

58. *Mr. Solicitor General for Ireland.*] Your inference would be that although in individual cases the pension might be less than it now is, it would be more widely distributed?—I think that there would probably be more officers in the first year or two put on pensions than there have been on the average of the last three or four years, because there are those officers who have remained in office from a fear of not getting pensions if they resigned, and who will probably now get the advantage of a pension.

59. *Mr. Healy.*] As I understand, you refer to the general effect on the whole body of officers, and not to cases of individuals?—Yes; I refer to the whole body of officers, but it is very difficult to express a decided opinion as to what the cost would be. The first rate to be struck must be a rate for 18 months, because we should have to pay a portion of the first rate for pensions to be paid from the time of the passing of the Act up to December 1883, whereas afterwards the rates will only be for the amount required for each year.

60. *Mr. Finlateral.*] Do I understand the tendency of your evidence to be that by adopting the Civil Service scale in Ireland greater justice would be done?—Unquestionably, that is my decided opinion.

61. *Chairman.*] And you think that there would be no difficulty on the part of the union on the score of expense?—Not the slightest difficulty. We shall ascertain the amount that will be required, and make an assessment upon each union according to the net annual value of each union, and we shall send an order to the treasurers of the union to lodge it in the general fund, which will be in our hands in the bank, and twice a year we shall recoup the boards of guardians the amount that they have paid in pensions.

62. *Mr. Daly.*] If I understand you, when you assess the amount to be disbursed under the head of the superannuation fund, it will simply be by the

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Board imposing on each locality the superannuation allowance in respect of the officers, or will it be a general rate for all the unions in Ireland?—It will be a general rate all over Ireland, according to the net annual value of each union.

63. Irrespective of the superannuation allowances in a small or a large union?—Yes, certainly; they would be paid out of one general fund.

64. You tell us of boards of guardians who make more liberal superannuation allowances than those sanctioned by the Local Government Board, and, as a contrast, you mention another union that makes smaller superannuation allowances than those sanctioned by the Local Government Board; then the union granting the smaller allowances will pay its quota to the one with the larger superannuation allowances?—The Act provides that if any officer is dissatisfied at not receiving the amount that may be awarded under the Civil Service scale he may appeal to us; and, therefore, I think it may be concluded that in the case of every officer who is efficient and against whom there is no fault, he will be awarded by the guardians, or given by us, the full amount that he will be entitled to by the scale. Therefore, I think that all the officers, unless there is a fault on their parts, will be pensioned on the same scale.

65. Taking the proportions of the net rating, when you assess the money required for the superannuation fund, you assess the unions in proportion to the area of rating, and then when the fund is so created, you do not take into account the burthens of each particular locality, but you pay the allowances out of the gross amount?—Yes, on the same principle on which the fund is raised now under the Cattle Diseases Act. We shall follow that precedent exactly. The amount required under the Cattle Diseases Act is assessed upon each union according to its net annual value, and a general fund is created thereby; and in the same manner we shall create a general superannuation fund.

66. Mr. Callan.] You do not keep a separate account of each union under the Contagious Diseases (Animals) Act, do you?—No, we assess it according to the net annual value, and it is handed over to the Privy Council Department, who dispose of it under the Cattle Diseases Act.

67. In fact the manner in which money is raised under that Act is a kind of rate in aid?—It is a rate all over the country. It is a general rate.

68. Mr. Solicitor General for Ireland.] So that there would not be under this Bill the same inducements to the poorer unions to refuse superannuation allowances?—Certainly not.

69. Mr. Findlater.] Would you not equally increase the allowances under the powers of the Bill, if they were not liberal enough?—The Act, as amended, provides that if an officer is dissatisfied with the decision of the board of guardians, or if the board of guardians give a lower amount than that prescribed by the Civil Service scale, there may be an appeal to us, and we may decide the case.

70. So that there would be no object in guardians being less liberal?—No. If a board of guardians have reason to be dissatisfied with the conduct of an officer, and an appeal is made to us, the board of guardians will have full power to attend that appeal and give their reasons for what they have done, and it will be for us to decide whether those reasons are sufficient or not.

71. Captain Aylmer.] Am I to understand that the initiative in granting those pensions or superannuation allowances is to be with the boards of guardians under the proposed Act?—As the Bill was first drafted, the Local Government Board were to determine the amount of the pension; but that is proposed to be amended by a new clause to be added to the Bill.

72. Mr. Solicitor General for Ireland.] Do you anticipate that under this Bill there will be practically uniformity throughout the entire of the unions of Ireland?—There will be a uniform rate to form the fund, but the amount to be given to each union will be according to the amount of superannuation allowance awarded to the officers of that union.

73. Do you anticipate that there will be a practical uniformity of principle as regards pensions?—Yes, certainly there will be a practical uniformity of principle and of practice. I may mention that one great object in establishing this national rate, a rate all over the country, instead of levying a rate in each union, is that there is a difficulty with respect to the officers moving about from one union to another. If we had not a rate over the whole country there would be a

difficulty

difficulty in changing one union with the pension of an officer, and allowing him to take credit for his service in another union; whereas by this method it is as broad as it is long; officers will be allowed to count their service in whatever unions they may have passed their time, in a case where an officer was changed from one union to another.

74. *Mr. Callen.*] You do not mean that to apply to the case of officers changing from one district of a union to another?—No, that would not apply. Pensions are now all charged to the union at large; I think it is only as between one union and another union.

75. *Mr. Solicitor General for Ireland.*] You mean to meet the cases of officers who have served a considerable time in one union and then have gone to another?—Yes; there are many such cases, and it is often of very great advantage that an officer who has gained experience in a small union should, when occasion arises, be transferred to a large and important union which would thereby get the advantage of his great knowledge and experience.

76. On what scale would his pension be calculated?—At present there is no scale. The guardians give what they see fit, but we cannot fix a scale of that kind, and say that an officer should be pensioned according to it the year after, and place the whole of that charge upon one union, whereas, he may have served the greater part of his time in another.

77. *Mr. Daly.*] Then the effect of that, as I understand, will be that wealthy unions will contribute towards the superannuation funds in a larger proportion by reason of their greater wealth than smaller ones?—They will.

78. And their disbursements will go out from that fund, and not be lessened or made greater by reason of any particular superannuation allowance in that locality?—We must bear this in mind, that a very large and wealthy union would have a staff of officers so very much larger than the number of officers in a poor union, that the superannuation allowances would be much larger than those of a small and poor union. Take the difference between the Dublin Union and the Union of Skull, in the County of Cork; although the amount may be very much larger than the guardians of the Dublin Union would have to pay, still the number of their officers would necessitate a much greater number of retirements.

79. *Mr. Healy.*] Is not the shifting of officers from one union to another one reason for introducing the change?—I think that it would facilitate the whole arrangement. That is one reason, and I think in every respect it is better.

80. Would you state your reasons?—That is the principal reason; but I think there would be an objection probably made to an appeal to us in dealing with the funds of one particular union. It was at first intended, when the Bill was drafted, that we should fix the pensions ourselves without reference to boards of guardians, but we felt that the boards of guardians would probably object much more to our fixing the sums if we interfered solely with the rates of their own union, but there would not be the same feeling if it were the national rates that we were dealing with, or, a rate all over the country.

81. My point is that it is no part of your idea extending the principle of national rating?—Not the least; it was merely to facilitate the administration.

82. The Board in making this national rating do not express a preference one way or another for national rating as against local rating, or vice versa?—Certainly not.

83. *Mr. Callen.*] I suppose it is more or less a recognition that the principle of union rating has some good points in it?—I do not think that the question of union rating, as against electoral division rating, is affected by it.

84. Or of large districts as against small districts?—I should not say that it affects that question in any way.

85. I suppose that you were consulted about this Bill?—I was.

86. Have you read the amended Act proposed by some of the union officers,
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and by the Irish Medical Association, and by the Poor Law Officers' Association of Ireland?—I have read the amendments proposed to this Act.

87. Are you still of opinion that the Act as originally introduced is in the best form?—I think that it would save trouble; but I do not in the least object to the other.

88. Save trouble to whom?—Perhaps I should rather have said that it would save correspondence.

89. You mean correspondence on the part of the Local Government Board?—Yes.

90. Is that the principle recommendation for retaining the Act in its original form?—But I do not advocate retaining it in its original form; I am quite satisfied with the amendment.

91. Do you prefer the amendment to the original?—I do not prefer it; I think that the original Bill would save correspondence, and perhaps a difference of opinion between us and the boards of guardians.

92. Discarding all idea of trouble to well-paid public officials, do you think the proposed amendment an advantage?—I do not say that it is an advantage, but I say that I have no objection to the alterations.

93. Have you read the reasons why those amendments should be proposed?—I have read them.

94. Will you just take the Bill in its present shape before you, and look at page 1, line 17; is it the fact that the words are "not exceeding ten-sixtieths"?—Yes.

95. Is it the fact that the words "not exceeding" are without precedent?—No.

96. You have gone now on the lines of the Civil Service Act of 1859?—Yes.

97. There the words "not exceeding" are not found in the same sentence as they are here?—I do not find the words "not exceeding" in the Civil Service Superannuation Act.

98. Is not the word "of" used?—The words are "to any person who shall have served 10 years and upwards, and under 11 years, an annual allowance of ten-sixtieths of the annual salary and emoluments of his office."

99. Can you give me any reason why, as you admit that you drafted these clauses from the Civil Service Act of 1859, you should have expunged the word "of" in that Act, and inserted instead the words "not exceeding"?—Yes, I can. I think it is desirable that the guardians should have in some cases, and certainly that we should have in some cases, power to grant a reduced pension if necessary. Subject to our approval, the guardians have the power, under the Act as it stands, to give a reduced pension, and a union officer might appeal to us, and we should then hear the views and reasons of the guardians for asking to give a reduced pension.

100. Would not that be still more open to your principal objection; would not it give a little more correspondence, and a little more trouble to the Local Government Board?—Whether it originates with the board of guardians or originates with us these words will make no difference. At present cases arise, and have arisen, in which we have not approved of the vote, and we have reduced the pension. Circumstances may arise in which an officer had for a great number of years performed his duty in a very efficient and satisfactory manner (I have a case in my mind now of that sort), but his health failed, and in consequence of ill-health for the last few years of his service he performed his duty in a very inefficient and unsatisfactory manner; and he was at last compelled to leave the service; and, in sanctioning a pension to him, we thought it was not right to deprive him entirely of his pension in consequence of what occurred during the last few years, his negligence and inefficiency having arisen from the state of his health, and we allowed a pension to be awarded him in that case, computed on the number of years' service in which he had served efficiently.

101. Did you lower the allowance?—Yes.

102. By how much?—We allowed him to count his pension upon his efficient years' service, solely because we thought that his inefficiency during the last few years was caused by failure of energy and loss of sight.

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103. Did the guardians remonstrate on that occasion?—Yes, I rather think they did.

104. And therefore the Local Government Board overruled the decision of the guardians, the local parties, who paid the superannuation allowance?—Certainly; we have done so in many cases where they have awarded pensions in excess of the scale.

105. With regard to the Circular of November 1881, I see that you issued it when the guardians exceeded what you thought right and reasonable?—Yes.

106. Did you ever issue a second circular where you thought that the guardians had not done what you thought right and reasonable in granting a superannuation allowance?—We embodied it in our circular.

107. But you issued no circular?—No other circular.

108. Although I believe those cases of alleged injustice extended over a very considerable period of years?—Yes.

109. Yet you issued no remonstrance to the boards of guardians pointing out the injustice of refusing superannuation allowances to parties who fairly were entitled to them?—We issued no general circular. I am not prepared to say that there was no remonstrance.

110. It was only when Poor Law Guardians, being the payers, became generous with their rates, that you issued the circular?—When they so far exceeded what we thought was at all reasonable.

111. Then I may take it that you issued it rather upon economical grounds than otherwise?—Yes; the reasons are expressed in the circular, namely, justice to the ratepayers.

112. To the people who were paying the rates?—Yes.

113. The Local Government Board issued a circular to the Poor Law Guardians, who were the payers of the rates, pointing out that they were doing injustice to the ratepayers?—Yes.

114. And so long as they were doing injustice to officials who were under their more immediate control, you issued no circular?—We did not issue any circular, but we embodied that in this circular when we issued it.

115. As a kind of make-weight?—I do not say that. We took advantage of that circular to express our views upon the subject.

116. On what principles did you act in refusing those superannuation allowances which the Poor Law Guardians granted?—I have not a return of them, but I may state generally that we have compelled the scale to be adhered to, with the addition of a certain number of years, ever since the issue of that circular.

117. You say that you drafted your Bill upon the Civil Service Act of 1859, but you inserted the words "not exceeding" in the place of the words used in that Act; do you consider that the Civil Service scale of superannuation is a fair scale to be adopted with reference to union officers in Ireland?—I do, certainly.

118. Without exception?—Certainly; with additions in certain cases where there are special and professional services, in which cases we propose to give an addition.

119. What do you call special?—I call special where the duties of the office are such that a man cannot enter upon them at a very early stage of life; he must attain a certain amount of experience before he is in a position to undertake the duties.

120. The scale of service is that adopted in the Civil Service Superannuation Act?—Yes.

121. In point of fact, at present persons can enter the Civil Service at a minimum age of 16, while union officers are not eligible until they are 21 years of age?—I believe the pay in some cases is greater than in the Civil Service on entry.

122. I am asking you about the Poor Law Board; is it the fact that persons are eligible to enter the Civil Service at the minimum age of 16, whilst union officers are not eligible until they are 21 years of age?—They are, under very special circumstances.

123. As a rule, do boards of guardians elect persons generally under 30 years of age?—Certainly, they do.

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124. What class, except schoolmasters; they do not elect the master of the workhouse, or the matron, and they do not elect now a workhouse doctor under that age. Take the district that you had a personal knowledge of, as an inspector, previously to being raised to your present position; do you think that 30 is about the average age for medical officers of workhouses, for masters, for matrons, and for clerks of unions?—For the medical officers of workhouses I think you are rather too high; and, in some cases, of masters and matrons. I think 30 is a little above the average.

125. Can you give me one single instance at the present moment where a master or matron of a workhouse in Ireland is under 30 years of age?—I could not without referring to the returns. I can get a return and put it in if it is desired.

126. In the Civil Service the salaries are augmented by annual increments, are they not, until the maximum sum is attained?—Yes.

127. Is that the case with union officers?—No, it is not.

128. Then that is another exception?—Yes.

129. Is it not the fact that the salaries given to union officers on entering the service are much smaller in comparison than those of Civil servants in every class?—In the case of some of the officers they are, but not in the case of medical officers, and clerks of unions.

130. That the Civil Service, or take the Army and Navy; are not all their salaries much larger than those of union officers. Take my own district, Dundalk; the salary of the doctor is only 75 *l.* a year, and the highest salary in my union is 150 *l.* a year?—But there are a great number of emoluments attached to the office. There is one-fourth in addition for the Public Health Act.

131. You know the class of men who are in that district, are they not, as a class, equal to any Army and Navy surgeons?—Yes, certainly.

132. Are not their salaries much lower than those of the Army and Navy surgeons?—I cannot say. I do not know what an Army or Navy surgeon has.

133. Are there any of those doctors who get 10*s.* 6*d.* a-day?—Certainly, on the average, they do not commence at that.

134. Ten shillings and sixpence a-day, on the average, is the average at which an Army or Navy surgeon commences. Is there almost any district in Ireland, excepting, perhaps, Dublin and Belfast, where the surgeon receives at the present moment beyond 10*s.* 6*d.* a-day, or 180 *l.* a-year?—I should think that there are very few, certainly.

135. Therefore my argument is substantially true, is it not, that the officers of the Poor Law Board in Ireland are much more underpaid than the average Civil servants?—I daresay that may be so.

136. Then my conclusion is that it is unfair to allow the Civil Service superannuation scale to those underpaid officials?—I can only say that from what I hear, I believe our union officers would be quite satisfied with that.

137. The union officers will be here to speak for themselves; I am asking your opinion?—In my opinion it is perfectly fair to fix that scale, I think so from what has come to my own knowledge. I believe they will be quite satisfied with it; it is security that they require, that is all.

138. Is it not the case that in many instances union officers have served a period of over 30 years without any increase of salary, although they have had additional duties imposed, and in other instances the salaries have been reduced?—I do not think there are many cases of salaries being reduced, but I have no doubt that there may be officers who have served 30 years without an increase of pay.

139. Did not the Local Government Board sanction the reduction of the officer's salary on the retirement of the clerk of the Dundalk Union?—I do not think we have sanctioned the reduction of the salary of officers who have continued in office. We may have sanctioned a reduction of the salary appertaining to an office; that applies only to new appointments, but I do not recollect any case with respect to an old officer. In fact, we have been constantly applied to by boards of guardians upon the subject.

140. Have you any special knowledge of the nature of the duty performed by the intern officers of unions?—Yes.

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141. Are they not obliged to devote at least twice as much time to their duties as other Civil Service officers?—Their duties are very different.

142. They commence at six in the morning and end at nine at night?—But their duties are well known, and they are intermittent; it is not the same continuous work as that of a Civil servant who goes to his office at a certain hour in the morning and leaves again at night.

143. Is not the duty of the master of a workhouse continuous?—Yes.

144. If he is to perform his duties thoroughly and properly, must he not be engaged from six o'clock in the morning till nine o'clock at night?—He may leave the workhouse for a time, but he is bound to be ready for his duty, I admit.

145. He is not ready for his duty if he is not in the workhouse?—It is not expected that the master of a workhouse should not go out and take a walk.

146. Under the existing law a union officer of 60 years of age and 20 years' service can be granted the full two-thirds of his salary and emoluments?—Yes.

147. Do not you think that that should be continued?—No, I do not indeed.

148. You think that a union officer, 60 years of age, with 20 years' service, should not be given as much as such an officer now receives?—I do not think that he is entitled to receive so large a pension.

149. So that this Bill instead of conferring a benefit upon certain officers would rather inflict a hardship upon them?—I think, on the contrary, the Act will be of very great benefit to the union officers.

150. As a body, and not to individuals?—No, I think not.

151. Is this statement correct: "That under existing law a union officer of 60 years of age with 20 years' service can be granted the full two-thirds of his salary and emoluments, and it is contended that an officer so circumstanced should not be placed in a worse position than he at present holds. This clause as it reads would, instead of conferring a benefit, rather inflict a hardship on union officers, and it is to counteract such that 20 instead of 10 years should be added to the years of service"?—For a person after 20 years' service, and 60 years of age, that maximum might be adopted, but since the circular was issued in 1881, it cannot be allowed; he can only receive a pension calculated on 20 years, with such an addition as we may sanction.

152. Under the present Act, the 35th & 36th of Victoria, c. 89, are not intern officers entitled to have a superannuation allowance calculated upon the money value of their rations, clothing, and apartments?—Not upon their clothing, but upon their emoluments; they do not get clothing except in the case of porters.

153. Under the terms of this clause those officers would be deprived of the benefits conferred upon them under the existing law?—No, that is not the fact.

154. Would the superannuation allowance embrace rations and apartments?—Certainly; that is decided to be put in in an amendment.

155. Is it proposed that the proposed amendments follow the example of the Civil Service Act of 1859, and that the words "not exceeding" should be struck out, and the word "of" inserted?—No, I think it is not; I have not prepared the amendment, but I believe it is not so; I think it is unnecessary. There is an appeal to us, and that ought to be sufficient, I think.

156. With reference to the 9th clause of the Bill, the last line but one on page 4, which speaks of "Every person appointed or constituted as sanitary officer under the 11th section of the Public Health (Ireland) Act, 1878." Is there a more efficient body of men than the officers appointed under the Contagious Diseases (Animals) Act, particularly in the Dublin Union, or a more necessary body of officers?—I have nothing to say to that Act; the administration is not under our Board, it is entirely under the Privy Council.

157. Is the appointment a poor law appointment?—It is.

158. This is a poor law officer's superannuation?—Yes.

159. Under whose control is that officer?—He is under the control of the Privy Council.

160. Is it not the fact that he is paid out of the rates?—Yes.

161. He is appointed by the Poor Law Board?—By the local authority.

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162. Is not it the poor law guardians who appoint him?—Yes, the poor law guardians, acting under the Contagious Diseases (Animals) Act.

163. Why is it not then embraced in this Act?—It is embraced in one of the amendments. It will embrace every emolument that an officer can receive; it will embrace also the value of the apartments in the case of intern officers.

164. Captain *Aylmer*.] Under this Bill, with the amendment that you have just shown as included, can a retiring officer include, in counting his service, service performed for the public otherwise than under the Poor Law Board?—Yes, he can, but only for services paid from the rates excepting in one or two cases. In the case of the registrar of births, his salary is not paid from the rates, but he will be allowed to count it in his pension.

165. And you mean that that will be a favour?—No, I think you will find it in the amendment. It is in the old Act of the Registrar of Births and Deaths. That amendment is intended to include every emolument that an officer can receive in virtue of his office under the poor law guardians.

166. Mr. *Fitzpatrick*.] That will include officers who are now poor law officers, and who have been working under the Poor Law Board, and who would have the same power of pension as the Poor Law Board some years ago had in 1848; for instance, under the Public Works Act, a man who was employed under the Public Works Act, 1847-48, and then went on to the poor law and became a union officer, would he lose his years' services under the Public Works Act?—Yes, the Act only provides for his services in the union under the poor law; but there are very few cases in which there are any such officers.

167. Mr. *Callan*.] You like, of course, to exercise your own discretion in all those matters?—I like to do what I consider my duty.

168. But you object to the guardians, who are the payers, having any discretion?—To a certain extent I object to their having discretion.

169. You reserve to yourself the most ample discretion?—There is an appeal to us by the Act.

170. You would not consider it offensive if I call it centralisation?—To a certain extent it may be, but I do not see how the evil that exists can be remedied otherwise, and we thought this the best way of doing it.

171. Captain *Aylmer*.] You said that you thought that the officers that this Act refers to like it, because of the security that they would acquire, but do not you think that the words "not exceeding" reduce the security even to a lower level than it was before?—I do not think that it would have that effect seeing that there is an appeal to our Board, and we deal with a general fund.

172. Before it was a certain fixed standard, as in the Civil Service Superannuation Act of 1859?—That Act was not an Act applicable to poor law officers.

173. That Act gives an allowance of 10-60ths, and it gives security, but putting in the words "not exceeding 10-60ths," makes it perfectly insecure; it is a most insecure thing as you have put it, is it not?—I do not think it is. It leaves it to our Board to decide, and I think that the officers would feel perfectly secure in that, at least they have told us so. If the words "not exceeding" were left out, the board of guardians would be compelled to fix the maximum scale, and we should then be compelled either to refuse it altogether, or to grant the maximum.

174. Or you can add on 10 years if you wish?—What I want to point out is this, that we should not be able, in a case where an officer was entitled to a pension to reduce the pension; we should be compelled to refuse it altogether, or to grant it altogether, and that would be a very serious difficulty in my mind.

175. Mr. *McLiden*.] I understand you to say that under the law as it at present worked, a superannuation is frequently granted by the guardians which is disproportionate to the length of service of the officer?—That has been done up to the time of the Circular of 1881.

176. And in a great number of cases it has also been refused altogether by boards of guardians without any proper reason being assigned?—Certainly, in many cases.

177. In some cases, I believe, boards of guardians have refused the superannuation

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nuation allowances, no matter what the merits of the case may have been, on what they call principle?—I believe so.

178. On looking at the returns that have lately been made for the union of Cavan, I find that for a number of years they granted superannuation allowances up to the year 1876, when they refused superannuation to an officer who was 71 years of age, and of 27 years' service, on the ground that, on principle, they declined to grant any pension in future, and since that time they have not granted any. And that has been the case also, I believe, with other unions in Ireland, notwithstanding the Acts of Parliament that have been passed to enable them to grant superannuation allowances?—Yes, I believe there have been other cases.

179. And has not that worked very unfairly towards different officers either getting all the superannuation that they were entitled to, or being refused although they were entitled to it?—I think the refusals have been very harsh indeed, and have acted very unfairly and unjustly towards the officers.

180. Under the existing system is not the personal popularity of a candidate with existing guardians controlled to a very great extent by the question of pension, and the amount of pension?—I have no doubt that that is so.

181. So that if an officer who had been many years in the service happened not to be personally popular with the guardians for the time being, he would run a very great chance of having his pension altogether refused to him?—I have no doubt that that is so.

182. Mr. Callan.] Have you known any instances of your own knowledge, where personal popularity has been an element in the case?—I have not said that I have. I only say that I have no doubt that this reason may have influenced the decision, but I do not know of any cases. I said that the refusal acts harshly upon the officers, but I did not mean to say anything further.

183. Mr. Meldon.] In fact, at the present time, the Local Government Board have absolute control as to the maximum pension that can be allowed in Ireland, whether large or small?—Yes, we have always had the power, but we have only exercised it of late.

184. At the present moment under the existing law, have the Local Government Board absolute control as to the maximum of pensions?—Yes.

185. And that without any control as to the minimum amount which may be given?—Quite so.

186. I believe that you approve of the principle of the Act of 1859 as to the Civil Service superannuation scale?—Yes.

187. Do you see any reason why that which does for the Civil Service should not be applied to the poor law system?—No; and that is embodied in the Bill, which I approve of.

188. I see that it is stated that deputations from different poor law officers, both medical officers and others, have waited upon you from time to time, and also upon the Chief Secretary of Ireland?—Yes.

189. And you know their views pretty well on what is suggested?—I do.

190. Is it not the fact that by means of those deputations, and from representations that were made to you, you think that the union officers are satisfied to have the Civil Service scale adopted?—I believe they are; that is my impression from what I have heard from them.

191. I believe they pay great attention to the fact that under the suggested system they would have a certainty of a pension, and they would really know under what circumstances they would get a pension?—I believe so.

191*. From their representation you are aware that they approve of it?—I believe they are in favour of the scale.

192. I see the Bill, as at present drafted, provides that the "Local Government Board may, if they think fit, grant to any union officer who shall become incapable of discharging the duties of his office with efficiency, by reason of permanent infirmity of mind or body or of old age upon his resigning, or otherwise ceasing to hold his office, a superannuation allowance according to the following scale"—That is to be amended.

193. That does not follow the wording of the Superannuation Act, 1859?—I see now that the words "not exceeding" have been inserted here, which are not in the Superannuation Act.

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194. That

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194. That gives, in fact, under the amendment, to the Local Government Board and to the board of guardians, subject to the right of appeal, an unlimited discretion either to give a farthing on the whole two-thirds of the salary if they think fit?—Yes; with the right of appeal to the Local Government Board in case the amount is insufficient, as well as an appeal where the guardians refuse altogether.

195. I say that that clause gave to the Local Government Board power, and under the amendment that power will be given to the board of guardians, subject to the control of the Local Government Board to refuse a superannuation altogether if they think fit, and an absolute discretion as to the amount of the superannuation; would there be any objection, in your opinion, to adopting the words of the Superannuation Act of 1869 in this way, that “the board of guardians of any union in Ireland, in case it shall be shown to them that any union officer has become incapable of discharging the duties of his office with efficiency by reason of permanent infirmity of mind or body, or of old age, shall, with the consent of the Local Government Board for Ireland, grant to such officer”; would there be any reason why this should not be adopted?—I prefer the Bill as it stands; but if it is considered advisable by the Committee to put these words in, I think that there should be some proviso enabling us, if we think it necessary, to reduce a pension, so that we should not be compelled either to refuse to sanction it, or to allow the maximum; I think that we should retain the power which we have at present of reducing a pension if we think the officer is not entitled to the full amount of the scale. I have just mentioned a case in which I thought that power would have been exercised with great advantage.

196. Would not the principle of the Act of 1859 be to apply the Civil Service scale in a very great majority of cases?—I am under the impression that the Civil Service Act of 1859 only enables pensions to be given subject to the approval of the Treasury. As a matter of fact all pensions must be approved by the Treasury; a statement of the officer's service is sent to the Treasury when he resigns, and the Treasury determine the amount to be given to him; that is the practice, and therefore this Act of 1859 is under the control of the Treasury.

197. In point of fact, in a very great majority of cases, ought not a pension on a certain fixed scale to be given, and only reduced or diminished in exceptional cases?—Yes, but then we should have power to deal with those exceptional cases.

198. Would the amendment that is suggested, namely, that the grant should be made with the assent of the Local Government Board, not be sufficiently effective?—I think not. If you say that boards of guardians shall give a salary on this scale, then they must give it upon this scale, and that is the maximum scale, and we should either say yes, or no, to it; but there is no power in the Act as drafted now, to authorise us to reduce it in certain cases; we must either allow the whole amount awarded or none.

199. Surely the refusal to grant any pension or to reduce a pension would only come into effect in very exceptional cases?—Yes, exactly so; but there are exceptional cases in which it would be very desirable that some modification should be made.

200. And if this Bill shall become an Act which would embrace the protection to those exceptional cases, do not you think that would be a very satisfactory amendment?—I should have no objection to that, that the guardians shall give it in that way, but if we see reason, looking into the circumstances of the officer's service, to reduce it, we should have power to do so, otherwise we should be placed in this difficulty, that we must either refuse to allow any pension to an officer whose whole service has not been efficient, or else to place him in the position as an officer whose conduct had been unexceptional during the whole term of his service.

201. Does not it occur to you that in case of your having a contest with the board of guardians first as to the time of the pension and then as to the amount, if a hard and fast line was drawn, and that the Local Government Board should only in very exceptional cases interfere with the amount, such

such a system would be better?—I should have no objection to that alteration, provided that we were not bound either to refuse or to consent to the whole, but that we should have power to modify the pension by reason of any cause that may appear to us to be sufficient. We possess that power at present, and we exercise it, and we do not think it advisable that it should be taken from us.

202. You think that the amendment, as suggested, would be rather hard upon a person who would be seeking for a pension, inasmuch as if the Local Board saw fit to reduce a pension, they would be obliged in such a case to stop it altogether?—If you do not give us the power of reduction of a pension we should be bound to refuse it altogether, or to grant the whole amount voted. We should be placed in a difficulty, such as I have mentioned before, in which an officer had performed many years' good service, but had been very inefficient during his later years of service by reason of his ill-health.

203. If the superannuation scheme that is to be adopted was, in substance, that a pension should be granted, without entailing certain powers upon the Local Government Board, either to reduce or to sanction, or to refuse a pension in exceptional cases, would not that be satisfactory?—I have no objection whatever to do that.

204. Would not that be more satisfactory than that in every case the question should be debated as to whether the pension should be granted, and then the amount investigated by the board of guardians?—I should like the board of guardians to have the power to reduce it if they thought necessary, subject to an appeal to us. But I have no objection to the alteration that you have suggested.

205. What would be the advantage of having the system that you suggest, namely, that the board of guardians in the first place are to ascertain and determine the question of pension, and then an appeal to the Local Government Board?—The board of guardians then would be placed in this position, that they would either have to refuse it altogether or to grant the maximum. I think I should not object to it, if that proviso is added.

206. Do you think that in the absence of that it would work well?—I do not see any objection to it, although I should prefer the other.

207. On the whole, you think that the present scheme works very badly and prejudicially to the public service?—I think it is very injurious, as I said before.

208. One operation of the present system is that men who have become inefficient by reason of age and infirmity still struggle on in their situations, although they feel unable to discharge the duties properly, and they continue to discharge the duties in an ineffective way, without advantage to the public service; is not that so?—Yes, I believe that many do that.

209. I should like to refer to two of those returns which have been made lately, and first as to the Enniscorthy Union. There is a statement there of an officer 80 years of age and 16 years' service, who was refused any pension, and had to be put on out-door relief; and that of another officer, 78 years of age, with 28 years' service, who was also refused; and there is this note appended, "The late clerk and master both died in harness, working to the last, knowing that any claim for superannuation was useless"—That is a statement made by the clerk, and I have no reason to doubt it.

210. Is not that, under the present system, a thing that is not unlikely to happen?—Yes, I should say it might be likely to happen.

211. Was not that a state of things that would be likely to happen under the existing system?—Yes, I have heard many instances quoted of officers who, under the present system, were unwilling to retire, but those cases will be brought up by the officers themselves.

212. In the Kilkenny Union I see there is one officer of 63 years of age and 18 years' service, and another 70 years of age and 17 years' service, who were both refused the superannuation, and it is stated that "a late relieving officer continued in office until his death who would have resigned some years previously from general debility could be calculate on being superannuated; and at present another relieving officer, 64 years old, with 27 years' service, would resign if he

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were sure of being superannuated, feeling that he is not able to perform the duties satisfactorily?—That is stated by the clerk of the union.

213. *Mr. Collan.*] Are these in your Report?—They are laid before Parliament.

214. And they are of no value whatever?—They are of value as far as the facts go.

215. *Mr. Meldon.*] I do not ask as to the truth of it, but is not that a state of facts which is likely to happen under the existing system?—Yes, from statements made to me; there are many statements of that sort, but you will get full information upon that point from other witnesses.

216. *Mr. Healy.*] You stated that you considered the Civil Service scale a better one than the existing one, generally speaking?—I think it would work more satisfactorily.

217. May I ask if, in issuing the circular, you chose the Civil Service scale for want of a better?—No, we thought the Civil Service was a very fair scale. It had previously been adopted in England, and had been adopted for other officers in Ireland, and by Act of Parliament with regard to the officers of vestries and other boards in the metropolis.

218. In answer to the honourable Member for Louth, you pointed out that there were three points upon which the authorised Civil Service scale is not the Civil Service scale. The first is with reference to the words "not exceeding." In the Bill the word "of" occurs; secondly, you showed that the age of the Civil servants will be much lower than in the case of poor law officers; and thirdly, you admitted that the salaries were lower. In reply to the honourable Member for Kildare, you stated also that the Civil Service scale is not compulsory any more than the present?—I gave a rather doubtful opinion upon that. I said I believe it is subject to the control of the Treasury; as a fact, the pensions are always referred for sanction to the Treasury.

219. I have looked through the Act of 1859 to find where it says that the sanction of the Treasury must be obtained, but I failed to find it; and for the purpose of examination we will assume that it is not in the Act?—I am certain as to the practice.

220. I am speaking of the actual words in the Act?—So I understand.

221. The Civil Service scale admittedly differs in three important points, namely, the words "not exceeding," the age of the applicant, and the lower salaries. Then there is also the question of compulsion; these three or four points appear to me to be the *corpus* of the Civil Service scale; could you show me in what respect you preserve in this Act the authorised Civil Service scale except as a matter of mere figures; I gather from your examination this: it appears to me that while you retain the skeleton of the Civil Service scale, the *corpus* is actually gone, because the words "not exceeding" come out, the age of the applicant, which is a material question in the matter of sixtieths, comes out, and you admit that the salaries are lower; will you tell us, excepting in the mere mechanical arrangement of the figures, how much is left of the Civil Service scale?—We have adopted the figures because we think them sufficiently fair, and we believe that the officers would be perfectly satisfied with it, and we have adopted the present Bill to remedy the existing state of things under which the guardians refuse to give pensions in many instances in which the officers have deserved them, in our opinion.

222. You issued the circular, I understand, upon the basis of the Civil Service scale?—Yes.

223. Seeing that that is altogether an erroneous statement, because the four important points that I have touched upon are altogether washed out in your proposed Bill, leaving, as I understand, only a very pale reflex of the Civil Service scale, and, as I would say, not the Civil Service scale at all, except in the matter of sixtieths; can you show me where the Civil Service scale is in the Bill, except in the matter of sixtieths?—The Bill authorizes us to add a certain number of years, and we shall use our discretion as to the certain number of years to be added.

224. Did not you say just now to the honourable Member for Louth that this discretion as to the number of years would only come in on exceptional circumstances such as you mentioned, of gentlemen, who could only commence their services

services at a certain age?—That would apply to officers who cannot enter upon their duties at a very early age.

225. Therefore, your contention, by which you support the claim to give the Civil Service scale, only applies so far as the alleged specialists come in?—It applies to any officer who cannot enter upon the duties of the service at an early age; it enables us to add a certain number of years to his service.

226. You state as a modification of what has been brought out, that this Civil Service scale is not at all in existence in the Bill; that the Board can add a certain number of years?—Yes.

227. Was it in the mind of the Board when they drew up the particular qualification, that this clause should apply to any but medical officers?—Clearly; I cannot say what the Board would do, but following the precedent of the Treasury, we should fix the class of officers who are entitled to additional years, to be added to their service.

228. Will you point out what other class of union officers besides the medical profession will come under these special circumstances of professional qualification. Begin with the porters; the porters could not come very well under it?—No.

229. Then the master, could he?—I think he might under certain circumstances, but that is a matter to be considered by the Local Government Board, and by the President hereafter. My impression is, that the clerks of unions would certainly come under it.

230. Would the matron?—I do not think the matron would, but I cannot express a decided opinion.

231. Would the schoolmaster?—No, I do not think the schoolmaster should, because in many cases schoolmasters commence at a very early age.

232. Would the rate collector?—No.

233. Would the nurses?—No, I do not think they would.

234. Therefore, of the entire class of union officers, you think that the special qualification which you mention in extenuation of non-fulfilment of the Civil Service scale would apply to the clerks of unions and medical officers?—And masters.

235. Then as regards the classes excluded from the corpus of the Civil Service scale, would you be prepared to grant them the Civil Service scale as a whole, not in the skeleton proportions in which it has been shown up by the honourable Member for Louth, and appears in the Bill?—According to years service, certainly, unless, as I mentioned before, in an exceptional case, in which we might think it necessary to refuse it; such a case as an officer not having performed the whole of his service satisfactorily; but, as a general rule, I think the officers should all come under the Civil Service scale.

236. You admitted to the honourable Member for Louth that you were not willing to put in the words "not exceeding"?—I stated that I should not object to its being omitted, provided that we had power to deal with an exceptional case, and that we are not placed in a position that we must either refuse altogether our sanction of such sum, or give what we think excessive.

237. As regards the second point of the age of the officers, how could they be put upon the footing of Civil servants' payment of pension, seeing that, in point of fact, none of them could get appointments from the guardians until they had reached a certain mature age?—That I cannot say; the officer may obtain an appointment from the board of guardians at 21, except medical officers, who may not come in until they are 23.

238. When officers are required by boards of guardians, is it the custom to set forth advertisements in the "General Advertiser"?—Yes.

239. And is it customary to specify the limit of age?—No, I do not think it is; I do not know whether they do not put in a statement that they must be over 21; but I am not aware whether it is customary to put it in.

240. Could you to-morrow give the Committee the average age at which the union officers, including the lower class, take service?—No, it is impossible to state it to-morrow; I could get a return of it, but I could not get it without

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referring to the returns in the office, which would take a long time, and probably we should have to refer to the clerks of the unions.

241. Could you give an opinion as to the general age at which the union officers or Civil Service officers start; would you say that in general, and as a rule, the Civil servants start younger than the poor law officers?—Yes, I may admit it as a general rule.

242. Therefore as regards age these gentlemen would not get the benefit of the Civil Service scale, seeing that they cannot retire until they are 60, and then they can only get sixtieths up to that age. If a young man begins at the age of 20 he may naturally work up to 60, and then he would be entitled to two-thirds. You mentioned as a case of great hardship the case of a nurse who was 70 years of age; I think you stated that she had only 22 years' service; it consequently follows that the woman must have begun her service at the age of 48?—About that.

243. According to this Bill she would only be entitled to 22-70ths of her salary?—Yes.

244. Which, with emoluments, we reckon to come out under the new scale at 12 l.?—She had not given her life to the service of the union; she had only given a portion of it; she gave the best part of her life to some other employment, and had the benefit of it, therefore that should not be taken into consideration. If the guardians appoint officers of that age they are persons who have spent the best part of their life in other work, and have benefited accordingly; we thought it a fair scale, and I believe the union officers are satisfied with it if they are certain of getting it.

245. It is your opinion that nurses do usually enter the service at the age of 21?—No.

246. Do you think that any person would be put in charge of patients who was not a person of mature years?—Not at the age of 21.

247. Do you think that the board of guardians would appoint any person as nurse except a person of mature years?—No, they ought not to do so.

248. As regards the Civil Service scale, you admit that it is impossible that these women can get much benefit from it, seeing that they have not the chance of joining young, because the boards of guardians would not appoint them?—If they have had experience and training as nurses, they might be put in charge of patients.

249. As regards lower salaries, is there any limit on the part of the guardians except the discretion of your board to the salaries which may be given?—No, there is no limit except our approval.

250. You stated a little while ago that the general average of salaries was lower than the Civil Service scale?—If you take all the officers throughout the service, the general average, taking in assistant officers, porters, and nurses, and so on, is below the average of the Civil Service.

251. Let me come to the fact that as regards the age of the applicant, and the lower salaries, these can be no parity with the Civil Service scale; the Civil servants, as I gather from my reading of it, can put the Act in force after 10 years' service; they can go and demand the benefit of this Act?—Subject to the approval of the Treasury.

252. Can you point out in the Act where the "approval of the Treasury" is mentioned?—I do not say that it is in the Act, but as a matter of practice it is so.

253. If the Treasury refused could you not compel the Treasury to act up to the law?—It may be in some former Act; I cannot answer that question now. I tell you what the practice is, that the Civil Service officer's years of service must be sent to the Treasury, who determine his pension.

254. Are you acquainted with the practice of the Treasury?—Yes, I am acquainted with the practice of the Treasury, but I cannot quote the Act governing the practice.

255. Are you aware from the practice of the Civil Service, that it is customary to refuse pensions; have you ever known a case in which an officer who had served 10 years was met with a refusal by the Treasury?—I cannot call one to mind.

256. Does not that go to show that the Civil Service scale is, in point of fact,

fact, compulsory?—The union officers would be placed exactly in the same position; they would be entitled to demand their pension and receive their pension; if the guardians do not give it, it is subject to appeal to us, and we should have no hesitation in granting it if the officers had served us faithfully.

257. The two cases are different; in the Civil Service scale they can get it whether the Treasury or anybody else likes it, or no?—I am not prepared to say whether they can or not.

258. If there is no such requirement in the Act of Parliament would you be prepared to abrogate the same provision in your Act, "from and after the passing of the Act the Local Government for Ireland may, if they think fit;" if you found that there was no appeal to the Treasury, and the Treasury had no controlling power, would you be prepared to follow the practice of the Civil Service scale and make this compulsory also?—I stated before that if we are to be allowed to deal with special cases, I should not object to the alteration suggested.

259. How would you deal with a special case; the words, as they are in the Act, you do not propose to alter?—We do not propose to alter them; I should prefer the Bill as it stands, but I do not see that there would be any serious objection to it if it is considered advisable.

260. The clerks in your own staff come under the Civil Service scale?—Yes.

261. They are in no way affected by this Bill?—No, not in the slightest degree.

262. What is the practice as regards these cases; does a man say "I will go now," or does he get the consent of the Treasury?—After 60 years a man may retire when he likes; if he retires before 60 years he can only do so on producing a medical certificate of inability to work, and that is sent with a statement of his service, and with a certificate of his diligence of fidelity from the head of the department to the Treasury, and in all the cases I observe they have granted the pension according to the scale laid down in the Act.

263. With regard to the officers, this Bill, of course, deals with all now in the service of the guardians?—Or who may be appointed.

264. With regard to officers who may have been appointed 30 or 40 years ago, say, officers serving since the famine, or officers appointed 20 years ago, would you be prepared to give them the option of the old or the new scale?—No, I should not; and I do not think there would be any advantage in it.

265. Would you give them the option?—No, I would let one law apply; taking the present Act with our circular together, no officer would receive more than the present Civil Service scale, whereas he would be left in such a position that the guardians might refuse to give him anything, and there would be no appeal to us, and I cannot imagine that any officer would elect to be under that system.

266. Are you aware that in another Bill now passing through the House of Commons dealing with another class of Civil servants, the Irish Police Officers' Superannuation Bill, special power is taken to give the option of both the old and the new Acts?—That is so, but I cannot speak with certainty; but another objection is, if the old Act remained in force the union would be paying to the general fund accordingly, to the union rate, and also paying to these particular officers under the old Act the pension out of their own pockets, so that that would be an objectionable arrangement.

267. Take the case of a man who has been for a long time in the service; such a man having been all his life or since 1865, when the Superannuation Act was passed, working under that particular scale, and never dreaming that the present Bill would be brought in; you would not think it unjust to the man that he should get the benefit of the Act under which he joined the service, but should get the benefit of a new Bill devised by the Local Government Board 17 years after he had joined the service?—Any officer who has been more than 16 years in the service would be much benefited by this, because when he joined there was no provision whatever

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for pension, and it can only apply to officers who have less than 16 years' service, and who joined between 1865 and the present time.

268. Your plan is absolute?—Yes.

269. You stated that it was intended to introduce some amendments with regard to the emoluments?—Yes.

270. Do I understand that the word "emoluments" includes allowances?—Yes; it is to be added. In Clause 9, page 4, line 42, after ("1878") insert ("or clerk to the burial board of any district where such burial board is a board of guardians, or clerk to the local authority acting in execution of the Contagious Diseases (Animals) Act, 1878"). Then in Clause 9, page 5, line 2, after ("officer") insert ("or clerk of the burial board, or clerk of the said local authority"). Then at line 9, after ("Parliament") add ("and also the money value of rations, apartments, and other remuneration appertaining to the office held by such union officer, estimated according to such scale or in such manner as the Local Government shall prescribe"). Those last words are simply to enable us to determine how the value of apartments is to be allowed for.

271. Section 8, says, "All allowances and gratuities payable under this Act." In the Schedule you repeal three Acts; are there not in any of the three repealed Acts some provisions also with regard to allowances and gratuities. Does not the repeal in the Schedule affect Section 8. I am only asking your opinion?—No; the intention is that in repealing this we include in the new superannuation Act all the allowances which were counted before, and in addition to those some that were not counted before. The officers at present are not allowed to count their salaries under the Public Health Act; it is very unfair upon them that they should not, and it must have been an omission in drafting the Act; but so it is, and we have a legal opinion that they cannot count their salaries under the Public Health Act, and we wish to remedy that.

272. I gather from you that with regard to the three repealed Acts you do not intend to repeal anything in them affecting the allowances and gratuities?—No, our intention is to add to them.

273. With regard to the circular which you have issued, did you issue it as the result of your observations, or was it from a motive arising upon a particular case. You issued the circular in 1881; do I understand that this circular was issued upon a particular case?—Yes, one particular case; I did not say so before, but it was one particular case which directed our attention prominently to it.

274. It was not upon your general experience?—We looked more closely into it. Our attention was particularly directed to it by one case, and upon that we took the whole subject into consideration.

275. In this circular, as I understand it, you do nothing more in restriction of the Act of 1865 than is done by the present Bill?—No.

276. What then is the necessity for the present Bill?—Because, although we restrict the amount, we have no power under the circular, or under any Act, to require the guardians to give a pension, and the officers have no security that they will get it; the Bill gives that which the circular could not give them.

277. Do you consider that the service of intern officers is more severe than that of extern officers?—I have here a letter respecting the matron of Trim Union. It is more continuous; I do not know that it is more severe.

278. Would you be prepared as regards intern officers to make any modification as to the length of years, such as in the case of this matron?—I would not make any change in the Act; certainly not.

279. You think that although intern officers do really undergo more severe service than extern officers it is not desirable?—I would not say that they do more severe service; one is more confined than the other, but I do not think that the work is harder than the work performed by the clerk of the union, who works hard from morning till night, and the medical officer who works all hours of the day and night. I should not say that the intern officers' duties are more severe on the whole; they are a different class of duties; they can have their meals regularly upon the spot, and there is no interruption.

280. I believe it is the case that the workhouse teachers and doctors at the present time get half their salaries from the State?—The guardians receive back from

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from the Government one-half of the salaries of the medical officers, and the whole of the salaries of the teachers.

281. Although then all the workhouse teachers' salaries and half the dispensary doctors' salaries are paid by the State, you propose that the entire pension of those two officers should be borne by the ratepayers?—It is so now. There is no change whatever proposed in that respect.

282. Seeing, as you have admitted, that one of the reasons for this Bill is that the guardians would not give pensions at all, the statement that "it is so now" can scarcely be said to have much effect, seeing that they can refuse the pensions altogether; but in the case of the teachers who cost them nothing previously, is it not unlikely that they would charge the rates with their pensions?—They could charge the general fund.

283. You say it is so now, and that is true; but you bring in a Bill to make pensions compulsory; do you think it fair that the workhouse teacher, the whole of whose salary was borne by the State, would be pensioned locally out of the rates?—If you looked at the Return you quoted you would find that there are a great number of teachers who have been pensioned. I have the case of a schoolmaster in Balrothery, and if you look through that list you will find several others.

284. You would not be prepared to recommend with a view to those two officers, the teacher, and the doctor, that any of their pensions should be borne by the State as well as their salaries?—No, I do not see any cause to make a change in the existing law upon the subject, and I doubt whether it would be sanctioned by the Government.

285. Because the existing law does not provide what I refer to, you see no cause for a change?—No.

286. Can you see any principle in the State paying the salary of a man, and the union his pension?—It does not follow, because they go so far, that it is necessary and right that they should go further, and pay for the pensions of the officers.

287. As the State has seen fit to give these gentlemen half of their salary in one case, and the whole in the other, do you think that it is an unfair thing for the guardians to refuse to give them any pension at all, but leave them to look to the State?—No, it is not a hardship; they have received great benefit from the State during the service of the officers, and they may contribute the pension; it will come upon the general rate of the country, and not upon a particular union.

288. This is a national rate?—Yes.

289. Is there any limit; might the Local Government Board put on a 1 d. in the pound, or 2 d. or 6 d.?—We should put in what we estimate is required for the year. We are authorised by the Act to levy what we estimate is required.

290. And you estimate it, roughly speaking, at about a farthing in the pound?—No, I do not estimate it as much as that; a farthing in the pound is required to pay the accumulated pensions of 15 years.

291. You think that it will not come to a farthing in the pound as a general thing?—Certainly not. In the first year it would not come to $\frac{1}{2}$ d. in the pound.

292. Would you be prepared to accept an amendment in the Bill to the effect that the Local Government Board should not have power to extend the national rating above a farthing in the pound?—No, I should not do that. When we come to the end of 14 or 15 years we may arrive at a farthing in the pound.

293. When the School Board Act was brought in, there was a general promise made in Parliament that the rate should never exceed more than a penny in the pound, upon the faith of the statement made in Parliament that it would not exceed a certain limit, the House passed the Bill without putting any restrictions upon the Board, but as a matter of fact, in some districts the School Board rate has gone up to 6 d. in the pound?—I cannot give any information upon that subject.

294. This Bill is recommended to Parliament on the understanding that it is very unlikely that the rate will exceed more than a farthing in the pound?—It is to substitute a rate for the rate at present struck in individual unions; the rate over the whole country, on the average, would not be more than at present, but it will come off the rate evenly in Ireland, instead of unevenly off

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certain unions as at present. I do not think there is any necessity to put such a provision as that in.

295. You are not willing to agree to the insertion of a provision in the Bill, that the poundage rate to be levied by the Local Government Board, over the whole of Ireland, shall not exceed a farthing in the pound?—The accumulated rate.

296. That is to say, in no case shall the annual rate exceed more than a farthing in the pound?—I think I should be prepared to say that.

297. You would accept it?—Yes; if we get to a deadlock, there would have to be a new Act.

298. And fresh legislation upon the point?—Yes.

299. But you see no inconvenience in the immediate future; say the next five or six years practically in the insertion of a proviso, that a farthing in the pound rate shall not be exceeded?—No, I see no objection to that.

300. The reason I asked the question is this, that complaints have been made in many cases by the guardians that there is a tendency upon the part of medical officers to apply for extra emoluments, and they having an active and vigilant association, and being powerful and influential persons, most of them are enabled to get higher pensions and salaries than the general run of the officers; for instance, as I have shown, the pensions of medical officers from 1865 to 1880 have averaged 68*l.*, while the pensions of other officers have only averaged 26*l.*; I believe it is the fact that there is always one member of the medical profession upon the Local Government Board?—Yes.

301. Has it always been so in your experience?—Since the passing of the Medical Charities Act it has.

302. And the medical officers have a very active and effective protective association, have they not?—Yes.

303. Centred in Dublin?—Yes.

304. And it is also the duty of the Local Government Board to listen to the representations made to them by every association affecting the poor law?—They give every attention to everything laid before them.

305. How many does your Board consist of, excluding *ex officio*?—Three.

306. The Under Secretary is in the Castle, the Chief Secretary is generally in the House of Commons six months in the year, so that out of the three working members of your Board you have a medical officer always present, and this gentleman, of course, is more or less, I presume, in sympathy with his profession; do you consider that upon that ground, and from the fact of the medical officer's body focused in Dublin, the Local Government Board, as far as medical officers are concerned, are more amenable to pressure than they are as regards other officers?—I do not admit that at all. We wish to deal equally with all officers, and we are not more liable to pressure in respect of one class of officers than another.

307. I am only looking at the cases on the average; I am not drawing any assumption; you have a gentleman upon the Board conversant with medical charities and the necessities of the medical profession?—Yes.

308. And you do not think that there is any reason to fear that the Local Government Board is likely upon that account, a third of its members, if I may so say, being a doctor, that more pressure can be brought to bear with regard to the advantages of the medical profession than with regard to the general body of the officers?—I have no apprehension whatever on the subject.

309. And you see no reason, therefore, to object to a rate of a farthing in the pound, for the present, being put in as the limit?—I see no objection to limit it to a farthing in the pound in each year.

310. The Local Government Board all through claim a controlling influence even with regard to the amendment of the Government proposed by the Chairman; the Local Government Board would still have a veto?—An appeal.

311. Do you see any difference in the practical working of the Bill as it will stand with the amendment, and in the practical working of the Bill as originally drafted?—I do not see any practical difference in the result.

312. Therefore, so far as that amendment is concerned, it is simply waste paper?—The guardians will like it better; and the guardians, when an appeal

is made from their decision, will be able to set forth the grounds upon which they arrive at their decision. I think it is well to meet the wishes of the guardians, and they have been yielded to.

313. Simply as a matter of sentiment?—I do not say that.

314. With regard to the result you admit that there is no practical difference?—In the result there will be no practical difference.

315. You insist, however, that the boards of guardians throughout Ireland, elected bodies, shall be placed solely in this respect under the control of three gentlemen, who are not elected, but who are nominated by the Crown; do you see any objection to that?—No; I do not see any other way of meeting the existing difficulty.

316. Are the Local Government Board appointed by the Lord Lieutenant?—By the Crown.

317. Is there any recommendation?—That I cannot say; the appointments are made by the Crown.

318. And there is no examination?—No.

319. How many unions are there throughout Ireland?—One hundred and sixty-three.

320. So that with regard to the 163 unions throughout Ireland where the popular principle of the representation of taxation prevails, you desire to impose the will of three gentlemen appointed by the Crown upon the will of those elected bodies?—That is a question for Parliament to decide. If Parliament decides that we should not have the power I do not wish for it. We propose it as the only means of remedying the defects of the present system.

321. The Bill, as drafted, represents the view of the Local Government Board?—Yes, as a means of remedying the defects of the present system; it is a question for Parliament, who have passed the second reading, to determine whether we shall be invested with that power or not; we give it forth as our views as the only way of remedying these defects.

322. Sitting in Dublin, with no personal knowledge except through correspondence, you take it upon yourselves, as I understand, to veto, and abrogate the decisions of the elected gentlemen upon the spot, in the giving of pensions?—It is a question for Parliament to determine whether they will give us that power; if they do not we are satisfied not to have it. I see no other way of meeting the present defects.

323. Do you think it is in accordance with the tendency of modern legislation to give three gentlemen, who simply represent the Crown, a control over the moneys paid by the general body of ratepayers of Ireland?—That is a question to be determined by Parliament.

324. You claim the right, however?—We do not claim the right; we say that the Bill is the only way of remedying the present defects by giving us the power; but we do not claim the power if Parliament does not give it us.

325. Mr. Biggar.] The honourable Member for Louth asked you with regard to the class of men who are inspectors under the Contagious Diseases (Animals) Act; how are they appointed?—The inspectors are veterinary officers appointed by the Lord Lieutenant; they do not come under this Act. Where union officers are also officers performing duties under that Act, they come in.

326. Mr. Collen.] What name do you give to the officers appointed under the Contagious Diseases (Animals) Act who are not veterinary surgeons, and are not clerks of the union, but who are inspectors of dairies?—The dairies are inspected under the Privy Council, not under the Local Government Board.

327. Are they appointed by the board of guardians?—The inspectors of dairies are appointed by the board of guardians, I believe.

328. They are not provided for by the proposed amendment?—No.

329. Mr. Biggar.] They are not medical men?—No, the Act is clear upon the subject. It says, "In this Act the term 'union officer' includes every person appointed by the board of guardians of any union to be a permanent officer of the union under the provisions of the 31st section of the Act of the Session of Parliament of the first and second years of the reign of Her present Majesty, c. 56, and the 4th section of the Act of the Session of Parliament of the 10th year of Her present Majesty, c. 31, whether such officer is paid by wages, poundage, or per-centage on collection

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of rates, or by a salary, and also every chaplain of an union, and every medical or surgical officer of an union, or of any dispensary district therein; and every person appointed or constituted as sanitary officer under the 11th section of the Public Health (Ireland) Act, 1878, where such person has been so appointed by a board of guardians, or holds his office as a sanitary officer by virtue of any other office to which he has been appointed by a board of guardians; and also the registrar of births, deaths, and marriages in every union, and the superintendent registrar being also the clerk of the union.' Therefore this clause only applies to officers appointed under those Acts, and to such officers allowances may be made in respect to payments made to them under other Acts.

330. The honourable Member for Louth asked you with regard to the comparative emoluments of dispensary doctors, and union surgeons, and physicians, compared with the emoluments of Army and Navy surgeons; with regard to that is it not the case that it is customary for the different grades of medical men under the poor law to have private practice as well?—Yes.

331. And with regard to the naval and military doctors, they have not private practice?—That is so; at least I believe they have not; I can tell you about the union officers.

332. They do not give their whole time?—No.

333. Take the case of the Belfast Union; I believe it is the largest union in Ireland?—One of the largest.

334. They do not object to give pensions?—They do give pensions.

335. And they have a very large staff?—Yes.

336. Can you give me any idea with regard to the number of persons who get pensions from that board at present?—There are six officers at present receiving pensions.

337. How many officials have they altogether, including doctors, dispensary doctors, and all?—I cannot answer that question.

338. They have a large number, have they not?—Yes.

339. Can you give me any reason why so small a proportion of the officials from Belfast Workhouse have got pensions, or can you suggest any reason for it?—I can only find from this Return, which is before Parliament that three officers were refused pensions in the Belfast Union.

340. That is during the whole time the Act has been in operation?—Yes, 16 years.

341. Can you give me the names of those who were refused?—There was one, a night watchman, who was refused; another, a master shoemaker, was refused; and there was a workhouse master refused; but that officer has since been re-appointed as a relieving officer; he was refused in the first instance, and some years afterwards the guardians wished to give him a pension, and it was found that so long a time had elapsed that the legal adviser was of opinion that a pension could not lawfully be granted, and he has since been appointed a relieving officer.

342. Why did that gentleman cease to be workhouse master?—I think there was some inefficiency or neglect upon his part; I am not certain; but I am under that impression.

343. Do you think that the real reason why so few superannuations have been given in the Belfast Union, with regard to medical men, is because they have simply used their position as officials in connection with the workhouses as a stepping-stone to professional preferment?—I cannot say what are the motives that influence the board of guardians.

344. But do you know, as a matter of fact, that the medical men generally voluntarily give up their positions upon the board without any fault being found with them?—I dare say that is so; I do not know it as a fact.

345. Do not you know that with regard to other classes of officials, not medical men, the real reason why they give up their positions is because the great majority of them are forced to resign?—That I cannot say.

346. Reference has been made to the fact that a considerable number of officials continue in the employ of the guardians at different places after they become incapacitated from old age, infirmity, and so on; is it or is it not the case that in a great number of unions in Ireland the labour, with regard to the officials, is exceedingly light?—I do not think that that would apply to any officers

officers except, perhaps, the rate collectors and relieving officers, who may have small farms; they give their time up to the management of those farms, but I do not think that there is any union in Ireland in which the clerk of the union has not work enough to occupy his entire time. All the intern officers must give their whole time.

347. They give up all their time, I know; but is the work of such a nature that it requires any very great amount of mental or bodily vigour?—In the case of the clerks the work does require it.

348. Take the porters and nurses, and the masters and matrons?—The masters and matrons have all heavy duties, because in small unions where there are only a few paupers they do not get assistants; they have to do all the work themselves. In the large unions, though the work is much heavier, the officers receive assistance. The work of the porters is certainly light work.

349. What proportion of the total expenditure in Ireland for poor law purposes is paid to officers generally?—The total expenditure last year, exclusive of repayments to seed loans, was 1,251,617 *l.*; and the salaries and the amount of pensions of officers during that time was 135,315 *l.*

350. Does that include medical men and all?—No; the expenses under the Medical Charities Act is separate. This includes the cost of medicines, and so on.

351. You cannot tell me, can you, what proportion the medical men get in the shape of salaries and emoluments?—The amount of salaries of the medical officers and the dispensary medical officers, during last year was, 88,819 *l.*

352. You do not know about the officers connected with the workhouses, do you?—Yes; the first figure included all the workhouse officers, exclusive of medical officers.

353. Can you tell me how much the medical officers connected with the different workhouses got?—No, I cannot give it separately; it is mixed up with the salaries and pensions of officers.

354. Then, in round numbers, a sixth part of the outlay besides the doctors would be given to officials?—I have given the figures.

355. As to the salaries of workhouse clerks, and clerks to the guardians, they are made up of different items, are they not?—Yes, the clerk's emoluments consist of his salary, his payments as returning officer, his payment under the Parliamentary Voters Act, his fees under the Jurors Act, his salary as executive sanitary officer under the Public Health Act, clerk to the burial board, clerk to the local authority under the Contagious Diseases (Animals) Act, and superintendent registrar of births, deaths, and marriages. At present he can only receive a pension in respect of these cases; the executive sanitary officer, clerk to the burial board, and clerk to the local authority does not receive a pension for the last three items.

356. You propose now to give him that?—It is proposed that he should receive a pension in respect of all the offices.

357. With regard to the dispensary doctor, it is a cumulative salary too, is it not?—It consists of his salary and vaccination fees, and the amount paid under the Public Health Act; they are the principal things. They are the registrars of births, deaths, and marriages in many instances; it is not necessary that they should be, but they are in most cases, and they have fees for the examination of lunatics, and so on.

358. Do they get pensions for all?—No, they only get pensions upon their salaries, vaccination fees, and payment under the Registration Acts; they do not get pensions now in respect of their salaries under the Public Health Act, and, as I said before, it was probably an oversight in the Act; but that is so.

359. Are those the only two classes who have cumulative salaries?—All the intern officers have emoluments.

360. But they have not separate items of money payment?—The relieving officers are in many cases officers under the Sanitary Acts, and they do not receive any pension in respect of such salary.

361. With regard to the poor rate collectors, it is perfectly competent to them to get their work done by proxy, is it not; is it not customary for them to do so?—No officer is allowed to perform his duty by proxy; they may send a receipt to a person and get the money, but the regulations do not allow the employment of a proxy.

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362. In point of fact they do it, do they not?—To a very limited extent.

363. Do you think the rate of payment allowed by the Local Government Board is very much more than the work can be done for, and that they can afford to do it by proxy?—No, I do not think the fees are very much higher than the work can be done for, 6 d., 8 d., 9 d., and 10 d., and in a few cases they go up to 1 s., which is only 5 per cent.

364. In the case of Manor Hamilton Union the guardians wished to have it done for 6 d., and the Local Government Board insisted upon having it done for 9 d.?—In that case the officers have been in receipt of that sum for the last six years; they have had very long service indeed, and there are peculiar difficulties now in the collection of the poor rate, and we thought it was not the time to reduce the emoluments of those officers. Their duties are very onerous indeed at present in the collection of the seed rate and the poor rate.

365. An honourable Gentleman asked you with regard to the salaries of Civil servants compared with the poor rate collector's salaries generally; is it not the fact that the Civil Service servants have to pass an examination before they can get admitted into the Civil Service?—The clerks have. There are certain classes exempt from it; the higher grades of the service are not required to pass an examination.

366. As a rule, the clerks pass an examination?—As a rule, the clerks pass an examination.

367. The poor law officials do not pass any Civil Service examination, do they?—They must prove themselves to be competent.

368. That is a different thing?—They have no examination to pass; the teachers pass an examination.

369. You gave an illustration of several cases with regard to the supposed hardship upon parties who have been refused pensions; do you know anything about the special merits of the particular people, whether they were like the master you mentioned a short time ago, or whether they were meritorious persons?—No, the only information I have is from the returns.

370. You know nothing about the merits of the parties?—No, the merits of the cases do not come before us, except that the boards of guardians grant the pensions.

371. In point of fact you do not know whether they were deserving persons or not?—No, in some cases I know they were meritorious officers, or at least I believed so. We know the character generally of most of the union officers in our office. If an officer commits himself in any way, or is inefficient, and is reprimanded, a record is made of it; we know the faults committed by the officers.

372. That is, if they are reported by the guardians; but you are not likely to hear of them unless the guardians report them?—We may have reports made by our inspectors; we have a very general knowledge of the character of the officers, especially the principal officers.

373. You stated, I think, that it was more desirable to base the claims for pensions upon length of service than upon any other test; is not the test of conduct and efficiency a better test than the test of the number of years' service?—The number of years must be taken to entitle a person to a pension.

374. You say that it would be a consideration; but would not the capacity and good conduct of the officer be a more important test?—Any officer would be removed from his office if he is not sufficiently good to perform his duties; any officer remaining for a term of years is entitled to a pension.

375. Even supposing he was a person of very worthless description?—Then he would not be allowed to continue in his office.

376. You know as a fact, do you not, that they do continue in office?—Not as a general rule. Cases may escape notice, but as a general rule the officers are an efficient body of men, and are well looked after by our inspectors, and they are not allowed to remain if they are inefficient.

377. Do you not think that the poor law guardians connected *ex officio*, who see their officers from day to day, and week to week, including the chairman of the board, who usually sits at the board each day, every week, have a better opportunity of forming a sounder opinion with regard to the merits of the officers than the Local Government Board can possibly have, who simply depend upon

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upon reports?—I think we have full and sufficient information of the character of the officers, so as to know whether they are entitled to a pension or not.

378. Do you not think that others have a better opportunity of forming an opinion than you have?—They have more constant observation; they observe the officers more constantly; but these cases that I have referred to, and many other cases that will be quoted, are cases of officers who were not refused upon the ground of incompetency or misconduct, but refused, principally, because the guardians were opposed to the principle of superannuation.

379. Do you think that the parties who pay the money have not the best right to give an opinion?—That is going back to the foundation of the whole matter; are the officers to be granted pensions as they are in the Civil Service?

380. With regard to the principle of calculating pensions, the probability is that the officer has a higher salary at the end of a long term than he has had at the early part of the term; should the pension be calculated upon his last salary, or should it be calculated upon the average salary during all the time that he has been an officer?—In the Civil Service an officer receives a pension upon the salary he is in receipt of at the time of retirement; and I think that the union officers should be placed in the same position, certainly. "The salary and emoluments of officers under this Act to be calculated upon the average of three years preceding his retirement."

381. Mr. Findlater.] With reference to the words "not exceeding," in the 17th line, do not you think from your experience it would be very undesirable to take away the discretion given by the amendment so as absolutely to entitle an officer to a proportion of his salary, totally irrespective of the manner in which he has discharged the duties of his office?—I have already answered that question. I prefer the Bill as it stands, leaving the words in, but to the other course, as an alternative, there is not an insuperable objection if a proviso is added giving us controlling power in exceptional cases.

382. With reference to the examination that would ensue with regard to the officers adopting the scale of remuneration given in the Act of Parliament, is it not the fact that the poor law officers are all satisfied to adopt the Civil Service Superannuation scale?—All that I have seen are satisfied and anxious that the Bill should pass; but you will have representatives of the officers who will be able to speak for themselves.

383. I think you said that you had the power of adding a certain number of years in calculating the service?—That is in the Bill.

384. You said that in cases where a certain amount of experience, and time, and expense had been spent in acquiring knowledge before they are appointed, you have taken that into consideration; it struck me with reference to the hospital nurses that of course they could not be appointed at such an early age, if they had to acquire that experience, and yet I think you said they would be excluded?—That is a subject for consideration. I could not give a decided opinion upon the subject, because it will have to be decided by the whole Board, including the President, but I mentioned the three classes of officers who I thought would come under it, and no doubt there may be others; and the point you raise is a very fair question for consideration.

385. Mr. Daly.] You have put in the circular of November the 25th?—I have.

386. You also put in the English circular; what is the date of that?—The 14th of December 1880.

387. You said that they ran pretty much on parallel lines, but that there was a distinction between them; what is the exact distinction between them?—I said the circulars were pretty nearly the same; the distinction between them is that at the end of our circular we urged upon the guardians the necessity of granting pensions where they have hitherto refused them.

388. That is to say, you sought in the Irish circular for the power of compelling the guardians to grant pensions that the English Local Government Board does not seek?—No, we did not seek that power; we had no such power; it was merely giving advice.

389. In effect this proposal of the Bill, if it be passed, will give you that power?—It will give us that power.

390. Is that power at present vested in the English Local Government Board?
—No, not at present.

391. Then, in effect, this Bill, if it becomes law, will allow the Board sitting in Dublin, to exercise control over the payment of the rates of the Irish guardians, when no such power is sought by the English Local Government Board over the English boards of guardians?—I have answered that question before; I say that it is entirely a question for Parliament whether they will give us that power or not.

392. We have it in evidence that you approve of this Bill?—Certainly.

393. You approve of it, and the Local Government Board approve of it?—Certainly.

394. And, in effect, in the provisions of this Bill you seek to obtain the power?—Yes.

395. Then I may take it that, as regards the English poor law legislation, no such power at present exists in England?—That is so.

396. I wish to refer you to Clause 9; I see amongst the persons who, under this Bill would be entitled to superannuation, are persons who are paid by a per-centage upon the collection of rates?—Certainly.

397. Then the Bill, if it becomes law, will enable the Local Government Board in Dublin to compel boards of guardians in Ireland to grant pensions to persons who are really officers paid by a per-centage on the collection of the rates?—Yes.

398. Are you aware, of your own knowledge, that very many of those persons in Irish unions have businesses, which generally occupy them more than the mere fact of the per-centage upon the collection of the rates?—Yes, I believe many of them have businesses besides their duties; but our opinion is that they are only paid for a certain part of their time, and we thought it fair that they should receive a pension in respect of the time they devote to our service. The pay is very small, because the time given up is very small.

399. Do you know that in cities such as Cork, for example, a great portion of the duties of collection are performed by deputy collectors?—No, I am not aware of it.

400. Do you think that as regards boards of guardians paying such persons superannuation, a board consisting of three or five gentlemen sitting in Dublin, can better judge of the reasons for superannuation than persons who reside in the city, and are conversant with all the circumstances of the case?—Yes, I think on an appeal to us we should be quite competent to decide that point.

401. How would you obtain information from those persons other than that they have faithfully fulfilled their contracts?—It would be competent for the boards of guardians if they refused to give any pension, and an appeal is made to us, to appear in defence of their own decision, and give the grounds of it, and they naturally would do so. We should require them to state the grounds upon which they think these persons should not obtain pensions, and they would appear and give their reasons, and we should decide upon the reasons.

402. Do you think it reasonable, with the guardians paying out the money of the persons by whom they are elected, that there should be a necessity for an appeal to persons who have no knowledge of the matter?—That is the only way we can devise for securing pensions to officers after long service.

403. You have power at present, if this Bill does not become law, I understand, to control the sum awarded for superannuation pensions by the board of guardians?—Yes.

404. One of your reasons that you adduce in your early examination was, that in many cases boards of guardians did not accord superannuation to officers who were worthy of it?—Yes.

405. You adduced as a reason for that some instances which you thought of peculiar hardship?—Yes.

406. And you adduced in the case of the Cavan Union, a fever hospital nurse who, at 70 years of age, and after nearly 25 years' service, got no pension?—Yes.

407. Then, in effect, when that woman entered upon her duties she was a woman of 45 years of age?—Yes.

408. And

408. And you instance another in the Ballymena Union of a person 70 years of age, and 22 years' service?—Yes.

409. In effect, that one entered upon her duties after 48 years of age?—Yes.

410. The next one was the master of Cootehill; he was 67 years of age, and 24 years' service; he was 43 when he entered the service?—Yes.

411. The next was the master of Donegal Union, after 16 years' service he got no superannuation, retiring at 68?—Yes.

412. He was 52 on entering the service?—Yes.

413. The next was a fever hospital nurse. Innishowen, 58 years of age, discharged after eight years' service. She was 50 years of age when she entered the service?—Yes.

414. I shall not pursue the remainder, but I will presume that you are a person of very large experience in what may be called the conduct of poor law business. I see you were 28 years a poor law inspector?—Yes.

415. Is it your opinion that for securing the services of good servants, either as hospital nurses or as masters, the age of from 43 to 50, or 52, would be the right age for them to enter the service?—I think it might be of advantage that there should be a limit of age; but we do not like to control boards of guardians in those matters more than we are obliged to do.

416. Having regard to the possibility of superannuation, and taking into account that the boards of guardians electing a person at a mature age may not be the same board of guardians who will have to decide upon his superannuation, do you consider as a matter of opinion that for efficient and good service in those capacities, from 30 to 35 years would not be a better average?—Yes, I think it might.

417. Then, in effect, part of the hardship in those instances, arises from the fact that the selection of the candidates is generally at too mature an age?—The hardship is, that the guardians refuse any pensions whatever.

418. If those persons had entered into the service at 32 or 35 years of age, then when they become incapacitated, they would have spent a longer time in the service of the board, and have established better ground for remuneration?—Yes, and the hardship would be greater in refusing them.

419. What I want to prove is this, and I know it is done in the case of many public bodies, that many persons are accepted for situations of this kind at a mature age, on the understanding that they would not seek superannuation?—All those officers that you mention, except perhaps one, were appointed before the Superannuation Act came into force, and that arrangement could not have been made with them.

420. Do you not consider it reasonable to infer that with boards of guardians whose rule it is not to give superannuation to persons seeking positions under them, are cognisant of the fact?—They may be cognisant of the fact that it is the practice of the board at the time, but they have no reason not to suppose that the unions may alter their mode of action afterwards; we have seen instances in which the guardians have altered their course of action in some cases.

421. I am asking your opinion. If a person enters into a situation with a knowledge of the precedent conditions, viz., that there is a strong probability that he will not receive a superannuation, would you consider it a hardship if he did not get it at the end of his time?—I do not think an officer on first entering the service ever takes the question of superannuation into consideration, because the time of his retiring is so far off; it has been my experience of officers that they do not think of it, and I do think that boards of guardians would have the right to make such an agreement with officers, or to tell them that it is not their practice, because it would not bind any future board.

422. I presume you have not with you the returns; but I believe you have with you the amounts received by clerks of unions, under the different heads of salaries and emoluments?—I have, in some cases; I thought I might be asked the question, and I took the cases of five of the largest unions in Ireland.

423. Taking the North Dublin Union, how much does the clerk receive under all the heads?—The return only shows the salary and the amount awarded to him under the Parliamentary Voters Act. The salary is 360 £., and the amount

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[Continued.]

awarded to him under the Parliamentary Voters Act is 50 *l.*; but I believe the total emoluments of the office come to about 700 *l.* a year.

424. Can you give the amount with regard to the South Dublin Union?—In the case of the South Dublin Union the salary is only 100 *l.*, but there are large emoluments, and I understand that his office is worth something like 600 *l.* a year; he has only recently been appointed.

425. Take Belfast, what is the amount in that case?—I have been informed that the Belfast office is worth something like 800 *l.* a year.

426. What is it in the case of Cork?—I think that is the same; I have no further returns.

427. I ask you there or thereabouts?—I have been informed that it is so.

428. Do you know what it is in Limerick?—I cannot say as to Limerick.

429. As the superannuation is proposed by the Bill, it includes items which will have to be considered as superannuation, which heretofore have not been taken into account?—Yes, three items. The items are the payments under the Public Health Act, the payment as clerk of the burial board, which is under the Public Health Act, and the clerk to the local authority, which is under the Contagious Diseases (Animals) Act. These are the items which will be allowed under the Bill, but which are not allowed at present.

430. Roughly speaking, with regard to the gentleman who holds the position of clerk to the North Dublin Union; what increment of pay will it give him under the three items?—He receives the pay now.

431. I know that, but what will the pension be consequent upon that?—I cannot tell you, but he will be here himself, and you can ask him the question.

432. The honourable Member for Kildare asked you a question to the effect that one of the grievances under which officers laboured was, that the question of their superannuation became a question of popularity. That was the effect of it. The common sense meaning of this question was, that a man's chance of being fairly treated by the board of guardians of the union, when he came to apply for his superannuation allowance, would depend upon the popularity and estimation in which he was held?—To a certain extent.

433. The Bill proposes to give the Local Government Board a controlling power over that?—Yes.

434. Taking into account that at present the elections of guardians are annual, that the proceedings of boards of guardians are public, and that the guardians, if they be not negligent of their duties, are conversant with the duties of the officers who are discharged; I would ask you whether those gentlemen on the 163 unions in Ireland, are not better judges of the efficient manner or inefficient manner in which those duties are discharged, than a body of gentlemen resident in Dublin who can only judge of the manner in which the duties are discharged by official reports?—I have answered that before, I think, to the effect that they (the board of guardians) have no doubt more opportunities of personal observation; but that we have perfectly sufficient knowledge of the officer's conduct, and would obtain still further knowledge of it in order to enable us to determine whether the guardians were justified in refusing to give him any pension.

435. In effect, does not your knowledge of the inefficiency or efficiency of the officer depend upon the receiving a bad or good report of him?—Yes; our inspectors report every half year upon him.

436. If an officer performs his duties in respectable mediocrity, and does not commit any fault of omission or commission, and is thereby not reported, then, in effect, your knowledge in the Local Government Board of that officer is simply that he has never been reprimanded?—I stated before that it was my opinion that if an officer discharged his duty sufficiently satisfactorily to be retained in office he is entitled to superannuation.

437. Take the case where the board of guardians are cognisant of a medical officer not discharging his duties in a perfunctory manner, but discharging them with a great deal of professional zeal; do you consider it reasonable that a board of gentlemen sitting in Dublin should control the actions of guardians who would award to that man a superannuation equivalent to the estimation in which they held his performance of the duties?—I do not think that there is any other way of meeting the difficulty besides giving us that power. I am not aware of any other

other way of doing it; we only desire it in the interests of the officers; and if we are not given the power we are content to be without it. It is for Parliament to decide whether we shall have it or not.

438. Mr. *Justin McCarthy*.] You give us, as the main reason for this Bill, that in so many cases the boards of guardians refused to pension officers?—Yes; and that officers, in consequence of that, remain in office too long.

439. Why do you assume that in most of these cases the guardians were wrong?—Because we believed the officers performed the duties satisfactorily, and that they were entitled to pensions. If these officers had discharged their duties unsatisfactorily we should have been made aware of the fact, and it is not alleged that that is the ground for refusal.

440. In some of these cases you said most of the persons were appointed before the Superannuation Act was passed, and at a time when they had no chance of superannuation?—All those appointed more than 16 years ago.

441. There are some of the cases that you referred to, and which my honourable Friend alluded to, of persons appointed before the Act came into force?—Yes.

442. Have not these persons less claim to pensions than persons appointed after the passing of the Act?—It was felt in 1865 that all officers ought to be allowed pensions, and, therefore, the Act of 1865 was passed. Certainly, the officers appointed before the Act passed entered upon their duties without any provision having been made for their pensions; but still, I do not think that that is any reason for refusing them their pensions.

443. Does not it give them less moral claim when they enter the service upon certain known conditions?—Yes; but the principle of superannuation has been admitted by the former Act.

444. Is there not less moral reason for finding fault with the guardians for refusing pensions to all of these persons, than refusing pensions to many others?—On the face of it there may be, but I do not think it is a sufficient extenuation for not giving it.

445. It does not at all follow that the guardians were wrong in some of these cases; you are perfectly aware that the whole question of pensions to servants is one very much debated, and that in many unions, as you told us yourself, pensions are refused because they do not approve of the principle?—Yes.

446. Are you aware that in the vast majority of civil employments there is no superannuation, and no pension?—Under the Civil Service.

447. I mean civil appointments?—In the vast majority I believe it is so.

448. Would not it be perfectly possible to get valuable servants under the Poor Law Board as well as in ordinary civil life, without pension?—You will have much more valuable servants if you allow them pensions. I do not mean to say that up to the year 1865 valuable servants were not obtained; but I think that you will obtain a much better class of officers.

449. You admit that there is no great established moral proposition which says that the pension system ought to exist?—It has been affirmed by three previous Acts.

450. Where has it been affirmed?—It has been affirmed by the Government in three previous Acts.

451. It comes to this, that the necessity for this Bill is founded upon the refusal of the guardians to grant pensions, and you admit that the question of granting superannuation at all is debatable?—It is debated, but I do not admit that there are grounds for it.

452. It is not like an article of faith; it is not a moral oath; it is not a matter of mathematics?—No.

453. It happens also that in many of these cases referred to by yourself the guardians consider that as the persons who came in before the Act was passed, they had therefore so far a somewhat less title to pension, and it was less incumbent upon the guardians to grant it?—Yes; it was less incumbent than if they came in knowing they would get pensions; but it does not affect the question of their remaining in office after they have become inefficient.

454. It makes the guardians less blameworthy?—In those particular instances.

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[Continued.]

455. That is another class of cases. There are some of these cases where you have not made investigation into the actual merits of the officers. You merely assumed that as the officer was there, he must have been a good officer?—We assume that if the officer were there, and his conduct not reported unfavourably, he must have been sufficiently good to entitle him to a pension.

456. You think that he must have come up to high-water level?—Yes, and that is the case in the Civil Service.

457. You do not know whether in these cases the guardians had special reasons or not?—Except we have learnt from statements.

458. Your board is composed practically of three members?—Working members.

459. And you meet in secret conclave?—Our meetings are not public.

460. Nor are they reported?—No.

461. Do you really think that a board of that kind, sitting in Dublin, a central board meeting in private, could more satisfactorily settle for all these questions, than the board of guardians elected by the public of 163 unions?—I think so.

462. Mr. Callan.] Will you refer to the proposed amendment to Clause 9, page 4, with reference to the clerk, and state what it is?—“After (‘1878’) insert (‘or clerk to the burial board of any district where such burial board is a board of guardians or clerk to the local authority in execution of the Contagious Diseases (Animals) Act.’)”

463. When I was asking the question about the officers appointed under the Contagious Diseases (Animals) Act, I asked you whether their case was provided for under the proposed amendments; does that amendment meet it?—No.

464. I was asking the question in a previous part of your examination, and the Chairman stated that there were proposed amendments that would deal with that; does the proposed amendment embrace that question at all?—The proposed amendment enables a union officer appointed under any of the Acts mentioned in Clause 9, if he also is employed under the Local Contagious Diseases (Animals) Act, to receive a pension.

465. But the Local Contagious Diseases (Animals) Act is not included in Clause 9?—He is appointed under Clause 9.

466. Take the inspector of dairies?—He is not; he is appointed solely under the Contagious Diseases (Animals) Act.

467. The inspector of dairies is appointed by the poor law guardians, and paid out of the poor rates, is he not?—Yes.

468. And substantially, to all intents and purposes, he is a poor law officer, except his nomenclature?—Yes.

469. Why should he not be provided for by this Superannuation Bill the same as other officers?—Because he is not a poor law officer.

470. Because he is not called a poor law officer, though appointed by the poor law guardians, paid out of the poor law rates, and subject to the authority and supervision of the poor law guardians; practically, to all intents and purposes, he is a poor law officer as much as the clerk of the union, or the relieving officer; but, because from some technicality you are of opinion that he should not be included in this Bill?—I think this section brings in a sufficient number of officers; it brings in all the officers who are officers of boards of guardians appointed under the Poor Law Acts, the Medical Charities Act, or the Sanitary Act, and any emolument that such officer receives.

471. Have you considered the question before this?—No, I never considered the question of bringing in officers employed under different Acts; it is a Poor Law Superannuation Bill.

472. By that amendment you provide for the clerk to the local authority. By the amendment you propose to bring under the operation of the Act the clerk to the local authority acting in execution of the Contagious Diseases (Animals) Act, 1878?—Yes.

473. Is it not the fact that the clerks of unions are clerks to the local authority under that Act?—Yes.

474. So that in fact this is utterly useless?—Yes, it is only to make it clear that is put in. This is the 9th clause, “Where such person has been so appointed by a board of guardians or holds his office as a sanitary officer by virtue of any other

other office to which he has been appointed." The point is this, that where an officer is a poor law officer and has other duties as such, then he is allowed to count the salary for the extra duties in his pension.

475. You bring in the clerk of the union acting in execution of the Contagious Diseases (Animals) Act, merely to enable his emoluments to be calculated as such for superannuation?—Yes.

476. Can you give me any sensible reason why the inspectors, acting under the authority of that Act, should be excluded from the superannuation clause of this Bill?—Because veterinary officers are not officers appointed under any of the Acts mentioned in the section.

477. Can you give any reason?—I may say that any officer who is employed under the Poor Law Acts or under the Contagious Diseases (Animals) Acts, would under this Bill have his emoluments added.

478. Would not it be unfair and unjust in the highest sense to deliberately exclude from the operation of this Bill such a meritorious class of officers, one of the most hard-worked set of officers in the department as the inspectors of dairies?—It would bring into the scope of the Bill a much larger class of officers, and we never considered the propriety of putting them in at all; it never entered into our heads.

479. Are not they in effect as much poor law officers as the others?—They are poor law officers, being employed by the poor law guardians, but they do not act under the Poor Law Acts.

480. They are poor law officers to this extent, that they are appointed by the poor law guardians?—Yes.

481. And they are paid out of the poor rates?—Yes.

482. The reason you do not recognise them as poor law officers is because they are not subject to you upon appointment?—No.

483. And you decline to recognise them?—We do not decline to recognise them.

484. You exclude them?—We exclude them from the benefits of this Bill.

485. Because they are not poor law officers?—Because they are not poor law officers.

486. They are not poor law officers because they are not under your control?—We do not bring any new officers into the Act at all.

487. They are not poor law officers because they are not under your control?—They are not.

488. Do you say that they are not poor law officers simply because they are not under your control?—Yes, because they are not appointed under the Poor Law Acts.

489. They are appointed by the poor law guardians, and paid out of a portion of the poor rates?—Yes, but they are not appointed under the Poor Law Acts.

490. Does not the Contagious Diseases (Animals) Acts recognise the poor law guardians as the local authority?—Yes.

491. And that their officers shall be its officers?—Yes, as the local authority.

492. Because these happen to be one of the most responsible classes of officers under that Act, although they are appointed by the poor law guardians and paid out of the poor rates, yet you will not recognise them as poor law officials because they are not under the Local Government Board?—The Act is not administered by the Local Government Board.

493. Therefore you decline to recognise them?—They are not our officers.

494. You decline to recognise them because they are not subject to your veto?—Yes.

495. I could understand if you declined to recognise them as Local Government subordinates?—The Act is not administered by us.

496. They are appointed by the poor law guardians?—Yes.

497. And paid out of the poor rates?—Yes.

498. And simply because they are not under your control you decline to recognise them?—They are not under the Act.

499. And you exclude them from the operation of this Act?—They were always excluded from the former Acts.

500. Were they in existence when the other Acts were passed?—I cannot say that.

501. The reason why they have been excluded from the former Acts is simply because no such office as theirs existed when the other Acts were passed?—When the first Act was passed.

502. Mr. *Bigger*.] Is it not the case that the boards of guardians have not the power to dismiss an officer without the sanction of the Local Government Board?—They have the power to dismiss an assistant or a porter, but only such subordinate officers.

503. They have not power to dismiss the higher officers?—No.

504. Is it not the fact that it is most difficult to get an officer dismissed?—There is no difficulty; we can do it ourselves.

505. Is it not the fact that great complaint has been made against officers before dismissal has taken place?—I daresay there has been a struggle for the officer to remain in office, but there is no practical difficulty in the matter.

506. But you have the power of doing it?—Yes.

507. You do not like to exercise the powers unless it is necessary?—We do not like to exercise them unless we are compelled to do so.

508. Take the case of Captain Whitney, in Belfast Workhouse?—The board of guardians insisted upon his removal, and we supported them.

509. But a huge amount of complaint was made against him?—He stuck fast to his office, no doubt.

510. Are you bound, or do you, as a rule, give reasons for your decisions?—In dismissing officers?

511. With regard to your decisions generally. Supposing you raised or lowered a pension, do you consider yourselves called upon to give reasons for your decision?—We have never raised a pension, because we could not do it; but whenever we do deal with an officer independently upon our own authority, we give the guardians reasons influencing us for so doing.

512. Mr. *Healy*.] With regard to the policy of continuing the provision in the 5th section, no man by any exertion of his own after you have pensioned him off can in any public office earn any more than the amount of his superannuation?—If an officer was superannuated from ill-health, and recovered his health, it might be of advantage to him to come into the office again.

513. Take the case of a man of 60 years of age, and say that he can get a local position under the Government in the Post Office, or in the town clerks' office, or from a grand jury, or something of that kind, you enact that this man shall never earn more than the total amount of his pension?—That is taken exactly from the Civil Service practice.

514. No man in his senses would accept extra office in that case, because he would be only entailing additional work upon himself, seeing that he could gain nothing by taking additional office, having his pension; no one would take additional office simply for the fun of the thing?—He might receive an appointment of a higher value than his former one, and then his pension would cease.

515. Is it not putting a premium upon enforced idleness?—No, it is advisable that a man should not be receiving a pension from the ratepayers, and, at the same time be earning sufficient to keep him; if he is able to get an appointment, while he acts and performs the duties of that appointment, I do not see that the rates should be made chargeable with the whole of his pension.

516. You may have seen continual discussions in Parliament on Civil Service Estimates, as to the policy of men receiving a pension in one office, and a salary in another; the general principle I believe is that in such cases a man should draw either the one or the other, and I agree with that where there is a large consideration involved?—I do not attach much importance to this clause; it is not likely that it will be acted upon.

517. Would you have any objection to the clause being struck out?—I think that it ought to be maintained, because I do not think if a person does take a remunerative office after he recovers himself, that the ratepayers should be taxed for his pension.

518. Take the case of a man who has a superannuation of 60 *l.* a year, and he could earn 30 *l.* more by taking a position paid out of the rates, it would not be

be the smallest advantage to him to take the office, because he would not earn one penny extra by it, and he would have to remain in a state of enforced idleness?—There is a principle in that which is a good principle.

519. What is the principle?—That the ratepayers should not be taxed to pay a pension to a man if he can earn money for himself.

520. If he could earn no salary in another office he would take no office; if he were pensioned off on 100 *l.* a year, and could take another office from the State at 50 *l.* a year, he would not take it if he got no profit by it?—I think the principle ought to be maintained in the interests of the ratepayers.

521. Where does the interest of the ratepayers come in?—If he receives a higher salary.

522. As regards the higher employment, I am with you, but as regards the lower, I am not?—We do not know that a man may not take employment afterwards. I think the principle is a sound one, and that if he is pensioned for temporary illness, and he recovers and takes employment, the ratepayers should not have to pay the man a pension also.

523. Two years ago, in the West, owing to the famine, you were obliged to suspend two or three of the boards of guardians and dissolve them?—Yes.

524. Are any of the western unions in a state of suspension?—No.

525. The only case I think is the case of Carrick-on-Suir?—Yes.

526. Is it not the case that the vice guardians would be your own nominees?—Yes.

527. Would you have any objection to say that those gentlemen should not give a pension until elected guardians again got power?—It would be very hard upon the officers. I know some cases of men whose health failed during the tenure of the vice guardians' office, and it would be very hard that they should be left out.

528. You insist upon the double control, first having your own, then having dissolved the guardians, you send down your paid officers and give them the same power as the elected guardians had?—It would be a very exceptional case. I know cases during that period, in which officers have had to retire, and why should they, because the guardians were removed, lose their pensions after many years' service. A medical officer retired after between 25 and 30 years. He retired from ill-health during the time that the vice guardians held office. He would have been very hardly treated if not allowed to have a pension by reason of the vice guardians being there.

529. True; but would not the ratepayers be very hardly treated, not having the semblance of control?—That raises the question of the dissolution of the boards of guardians. It was rendered necessary in some cases, and nearly all their powers are handed over to the vice guardians, and if that state of things is necessary, I do not see why they should not exercise the power as to pensions as well as with regard to all expenditure.

530. Seeing that it is a controverted fact as to the wisdom or unwisdom of your Board dissolving the boards of guardians, why should the sin of the Local Government Board, if it be one, be visited on the ratepayers?—It is visited in every respect on the ratepayers, because the whole of the expenditure is taken away from the elected guardians, and placed in the hands of the vice guardians.

531. Whatever the expense the ratepayers must suffer, and the Local Government Board triumph?—The ratepayers must suffer when the board of guardians are dispossessed; the boards of guardians could not cope with the difficulties in the unions referred to.

532. It was not so in Carrick-on-Suir?—No, but in the other three cases it was, and they were largely aided by the Government grants, and it would be a great hardship upon the medical officer who retired during that period to be deprived of the pension.

533. Mr. Biggar.] As to the question of practical routine, if I understand aright, if an official is dismissed he is ineligible for future employment under the Poor Law Board, and he is also disqualified from getting a pension?—He is disqualified

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[Continued.]

qualified from holding office again under the Local Government Board unless the Local Government Board specially gives sanction; the board of guardians could not appoint him again without our sanction, but we have power to sanction the re-appointment of an officer though he has been dismissed.

534. What occurs in practice is that an officer as a rule retires rather than run the risk of having a formal dismissal; is not that the ordinary routine?—Yes.

535. The usual routine is that an officer who is likely to be dismissed retires?—Yes; it very often happens, unless the case is a very gross one, that we say to the guardians, You can call upon so-and-so to go and give him an option, mentioning that if he does not resign he will be dismissed, and generally the officer does resign.

536. Then dismissals seldom take place?—They do take place, if the case is one which it was necessary to make an example of. If an officer showed an unwillingness to resign, we should dismiss him.

537. It is very rare?—I cannot say that it is very rare.

538. Is there once a year, upon the average, a case of dismissal?—More than that.

Friday, 11th August 1882.

MEMBERS PRESENT:

Captain Aylmer.

Mr. Biggar.

Mr. Callan.

Mr. Daly.

Mr. Finlinter.

Mr. Gibson.

Mr. Herbert Gladstone.

Mr. Healy.

Mr. Justin McCarthy.

Mr. Mellon.

Sir Patrick O'Brien.

Mr. Solicitor General for Ireland.

Colonel Tottenham.

HERBERT GLADSTONE, Esq., IN THE CHAIR.

Dr. ARCHIBALD HAMILTON JACOB, Examined.

539. *Chairman*] You are a member, are you not, of the medical profession in Ireland?—I am.

540. Are you connected in any official capacity with the Irish Medical Association?—I am a member of the executive committee of the Irish Medical Association.

541. Are you of opinion that a change is necessary in the law affecting the superannuation of poor law union officers in Ireland?—I am very strongly of that opinion.

542. Will you state to the Committee the main grounds of your opinion?—The main ground upon which I base the opinion is that great injustice has resulted to the union officers themselves, and, as I take it, great injury to the public service from the present condition of affairs. Firstly, that the union officers are compelled to remain in harness long after they have ceased to be capable of efficiently discharging the duty, and thereby the service of the public is injured. A union officer is debarred from resigning because, according to the rule, a month must elapse between the period of his resignation and the period of the consideration of his superannuation allowance; and, in consequence, he must necessarily resign without having a perfect knowledge of the intentions of his board of guardians, and within a month those intentions frequently develop in a direction contrary to what he expected, and he finds himself without a pension and without office. The result of the discretion vested in the board of guardians is, that a great number of union officers hold on to their offices long after they have ceased to be competent efficiently to discharge their duty.

543. You are personally acquainted, are you not, with medical officers who are holding on to their offices under those conditions?—With a very large number of them.

544. *Sir Patrick O'Brien*] Are there a dozen?—Yes, and very many more.

545. *Chairman*] Would you give the Committee some of the instances?—As to the number who are so holding on, I have certain means of calculation. I find that the average age of retirement of those who have retired is 66·5 years. Taking that as the age at which an officer may reasonably be expected to retire from old age, I have looked into the lists of the poor law medical officers with the view of ascertaining what numbers of them have reached that age, but have not retired. Of course I have no means of knowing exactly the age of the poor law medical officers.

546. You think that 66·5 is the average age of the retirement of union medical officers?—Yes, I am speaking entirely of union medical officers. I am not prepared to speak on this question with regard to any others. Not having abso-

lute means of judging of the ages of the poor law medical officers, I have taken the best means that I have available, namely, by examining the date at which each medical officer received his qualification to practice medicine. No man is allowed to qualify as a medical man under 21, and therefore every man who received his qualification 45 years ago, *i.e.*, prior to 1838, must be at least 66 years of age. Thus I find that there are 71 medical officers who must necessarily be above 66 years of age. All these would be entitled to pensions, besides other medical officers who being under that age may be incapacitated by ill-health.

547. What is the total number of union medical officers?—The total number of union medical officers, including workhouse medical officers, is about 1,000. I am speaking now of medical officers only.

548. Mr. Daly.] That is including dispensary physicians, and resident medical officers?—Just so. I have spoken of the number of persons who probably are above the statutory retirement age, if I may so phrase it, but as to individual cases I have a record of many officers that have long passed that age, and who are still in the supposed discharge of their duties. I have a few cases noted here. The first is the case of a gentleman who is aged 82; almost all the cases that I have referred to are those of dispensary doctors, and this gentleman is a dispensary doctor; the limit of his district is seven miles from his residence, and he may have 14 miles to travel to visit a case. In another case in the same district the officer's age is 69, the officer being very infirm, district 2,300 acres, population 7,000. Another gentleman is aged 66, with 30 years' service, and he has a bad heart disease, as certified by Sir Dominic Corrigan and various other physicians of the highest name, who have testified that the discharge of his duties is dangerous to life; that was certified in 1878, and he has continued to do the duty for four years since then. In the fourth case the age is 73, 40 years' service, and very infirm. In the fifth case the age is 79, with 50 years' service; the officer has varicose veins in both legs, from standing and walking, and has impaired sight, hernia, partial blindness, and had bronchitis. In the sixth case the age is 70, with 40 years' service; that officer has chronic inflammation of the bladder, and cannot work. In the seventh case the age is 70, and he is always ill with bronchitis; I have not his length of service. In the next case the age is 80, with long service; and there are no details as to the state of health. In the ninth case the officer was 78 years of age, with 40 years' service; and perhaps I may be allowed to describe this gentleman's case in a few words, as I happened to receive it from my correspondent. "He worked on with a gradually increasing disease of the heart until within a few months of his death; during the last two years of his life he was known to go out day after day visiting over this immense district of country with his limbs swelled by dropsy, and on one occasion he tried to attend a poor woman in dangerous labour, but the house was situated across a bog on the face of a hill so difficult to approach that by reason of breathlessness he was unable to reach it, and had to turn back almost in a dying state with the exertion, and then send for and pay a substitute. Well, the time came when he could not even ascend his dispensary stairs, his breathing becomes so laborious, and he is seized with increased dropsy, and is at last confined to that room from which he is destined never to go until carried to his long home." That gentleman is dead. I have two other cases, one of a gentleman aged 81, who served 43 years. This gentleman is also dead. He did not apply for superannuation, because he knew there was no chance. My information is that for the last five years he was disabled by chronic gout, and had to be lifted into and out of his vehicle. The guardians would neither pension him nor pay a substitute, and they forced his son (who himself had a large district in the neighbourhood to attend to) to do all the work of the father's district gratis, which he managed to do in order to save his family from the workhouse. The last case that I have to mention was one in which the officer had 25 years' service, and he was unanimously recommended by his dispensary committee for a pension, and four times brought before the board of guardians, who refused it; and he died starving four months afterwards. These are a few cases that I thought well to lay before the Committee.

549. Chairman.] In the case that you last mentioned had he retired?—Yes, he had retired; but he was not pensioned, although four times recommended to the guardians by his own dispensary committee.

550. I presume

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Dr. JACOB.

[Continued.]

550. I presume that the duties of these dispensary officers are very arduous?—Very much so; they have, some of them, very large districts; it not being an unusual thing for a man to have to travel seven or eight miles either way to attend a case. He is bound to be at the disposal of patients at all hours of the day and night, and much of his duty is in the middle of the night, where he has to follow labour cases for considerable distances in all weathers.

551. Mr. Meldon.] So that, in fact, although he may not every moment be occupied by his duty, he is bound to be at his duty when ever called upon?—Quite so, exclusive of every other business whatsoever.

552. Chairman.] Have you reason to believe that, where no application for pension was made by the medical officers whose cases you have been stating to the Committee, they held on, because there was no certainty that if they retired they would receive pensions?—I have; for I know that there are many medical officers now existent, who would apply to-morrow, or would have applied years ago, if they thought that there was the remotest chance of their getting a pension.

553. Those gentlemen, whose cases you have mentioned, you feel sure would resign if they had a reasonable prospect of receiving a fair pension?—Yes, every gentleman who had arrived at a condition of incapacity would retire; but I do not anticipate that there would be much retirement in the case of medical men earlier than that, because there are a variety of reasons other than the difficulty of getting a pension for keeping them from retirement. They must, if they retire, introduce into their district a rival practitioner; and, therefore, as a general rule medical men will not seek superannuation until it is entirely impossible for them any longer to do their duty with satisfaction.

554. You think that if this Bill passes into law medical officers would not rush to avail themselves of its provisions?—I am sure that none would apply except those who felt themselves incapable of discharging their duties.

555. Have there been any cases to your knowledge in which pensions have been granted to medical officers after they have served very short periods on comparatively insufficient grounds?—I made, from Mr. Meldon's Return, a little analysis of a certain number of cases in which pensions have been granted, and a similar number of cases in which they have been refused. I do not mean to express the opinion that those who were retired at an earlier age were retired without good reason, for I have not any knowledge of the reasons, but I find here 12 cases of medical officers who were granted pensions retiring at the average age of 44·3 years, while 12 other cases were refused, although they had arrived at an average age of 62·5 years; that is very nearly 20 years older. Of those to whom the pensions were granted the average length of service was 12½ years, while of those 12 to whom pensions were refused the average service was 32 years; that is to say, those who were refused had served 20 years longer than those who were granted pensions in those particular cases.

556. If a medical officer discharges his duties with conscientious strictness, do you think that he is in any danger of rendering himself unpopular to his guardians?—I think that there is very considerable danger, especially in connection with the discharge of his duties as sanitary officer, which bring him necessarily into unpleasant contact with the owners of small property who may probably be influential with the boards of guardians.

557. Then you think that it would be advisable to place a medical officer above the consideration, that if he does his duty with strictness he may offend his board of guardians, and not receive a pension?—I think that it is very highly desirable.

558. Mr. Solicitor General for Ireland.] You mention the average age of retirement as 66·5; that arises from assuming the minimum age at which qualifications were obtained in each case?—No; 66·5 is certainly the age, because it is derived from the Table published by the Local Government Board of the persons who have actually been superannuated. The other calculation is on the ground of the age of persons who have not yet been superannuated, but who have passed the statutory age, and might be retired to-morrow, and who, probably, are unfit for duty.

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559. In your calculation there must be at least 71 who are above that age?—Yes, above 66, certainly.

560. Is that an ascertained figure, or may there be more than 71 who are over that age?—There may be very many more.

561. It depends upon the age at which the officer obtained his medical qualification?—Quite so, and I have taken the minimum age of qualification. Many men qualify over 21, but I have taken the minimum age, and there cannot be less than 71 persons.

562. Mr. Gibson.] Have you reason to know from personal intercourse that many of those 71 gentlemen who, as you say, must be over 66 years of age, would retire if there were some machinery by which they felt sure that they could get some pension?—Yes. I have the best reason to know that that is so from constant intercourse with those gentlemen.

563. And that the majority would be willing to resign?—Yes; all of them who are incapable of working dispensary districts.

564. Do you know any of them that are willing so to retire who have applied for pensions and have been refused?—No, because an application for a pension involves resignation.

565. So that they must go as it were with their commission in their hands?—Quite so. They would cease to be dispensary officers if they made an application whether they were pensioned or not.

566. They have to feel their way beforehand as well as they can, and if they find that there is no chance of their getting a pension they retain their position?—Yes, that has been the universal practice.

567. You said that the discharge of their duties as sanitary officers was likely to make them unpopular, have you reason to know that from personal communication with the medical gentlemen who have been acting in that capacity?—Yes, I have.

568. Are you also aware that in some districts the relieving officers give with rather a lavish hand what are called "scarlet runners;" that is to say, they give to farmers, who can very well afford to pay for medical advice, a ticket that entitles them to get the assistance of a medical officer for nothing?—I am aware that that is a practice very widely spread over Ireland, but not by any means confined to relieving officers, who are the persons least erring in that respect, but it is done by members of dispensary committees and wardens. The relieving officers in Ireland are not at all the persons most liable to do that. The abuse of the system of medical relief is generally at the hands of committee men and wardens, who are very much more numerous than relieving officers.

569. Do you know of the practice prevailing in many parts of Ireland to give tickets to farmers and to others whose pecuniary position would enable them to pay for their medical attendance?—Yes, there are districts in Ireland in which private practice is almost nil in consequence of the population being mainly composed of poorer farmers, and those being all in the medical relief list.

570. And a medical officer, practically, is bound to obey one of those orders when he gets it, no matter if it was given to a person who might be supposed by his rank and position to have private means?—He is absolutely bound to attend any case for which he receives a visiting ticket, no matter who the person may be, so long as the visiting ticket is legally drawn out.

571. If a medical officer remonstrated, that would be another circumstance which would make him somewhat unpopular with the guardians against whom he remonstrated?—Quite so; especially as his remonstrance can only be carried into effect by application to the dispensary committee to cancel the ticket, which therefore must be a public remonstrance, and he brings it, as it were, before the tribunal in which the case has to be fought out as between the doctor and the person whose ticket he challenges.

572. You would then give us a further instance of the possible unpopularity which had been incurred by the medical officer in addition to the performance of his sanitary duty, the duty which he might sometimes feel called upon to exercise, of remonstrating against the distribution of those tickets?—Certainly.

573. Mr. Meldow.] The interests of the medical officers of health are protected by the Irish Medical Officers' Association, are they not?—The interests of the

the medical officers of health are included within the scope of the Irish Medical Officers' Association operations.

574. But the Irish Medical Association protects the interests of the general body of Irish medical officers?—Entirely.

575. Under the existing law the boards of guardians have got power to grant a superannuation not exceeding two-thirds of the salary, quite irrespective of the number of years' service, or otherwise?—That is so.

576. Do you happen to know whether the Irish Medical Association considered the question of foregoing the right to two-thirds of the pension in consideration of the certainty of getting a pension?—That question has been very recently considered not only by the executive of the Irish Medical Association, but at successive general meetings; and it has been conclusively determined as the policy of the Association that they are willing to forego the possible grant of two-thirds after a short period of service, in order to obtain security for the grant of a moderate pension at the proper period of service.

577. Have they then adopted the proposed scale of the Civil Service superannuation, in consideration of its being obligatory upon the guardians to grant superannuation?—Quite so; that is their view.

578. You referred to some cases where medical officers had continued to serve, because they could not get pensions; can you refer to any striking cases where medical officers have applied for superannuation and have been refused, besides those which you have mentioned?—Yes; I have just a brief note of six cases. One a gentleman of 42 years' service, 76 years of age, refused; the second one, a gentleman of 25 years' service, 56 years of age, granted, but then withdrawn, when it was found to be a district charge.

579. Sir Patrick O'Brien.] How was that; can you explain it?—When it was found that the pension would lie on a particularly narrow district, the guardians went back from their original determination.

580. And his resignation was in and it was accepted?—Yes. The third case is that of a gentleman of 48 years' service, aged 74, refused. In the fourth case the gentleman had 32 years' service, he was 60 years of age, and refused on the ground of economy. The fifth case was one of 26 years' service, and aged between 50 and 60, refused on the ground that the board would grant no superannuation; and the last case is that of a gentleman of 30 years' service, aged 72, who was refused for the same reason. The average period of service of those gentlemen was 34 years, and their average age was 66½.

581. Mr. Weldon.] In Ireland, I believe, the medical officers are dependent upon their salaries and their remuneration as medical officers for their entire professional income?—In the poor districts it is entirely so; the emolument which it is possible to earn from private practice in many districts in Ireland does not go beyond 50 l. or 60 l. a year at the utmost.

582. Can you state what is the average age at which medical men join the poor law service?—I should say from 26 to 29.

583. Is there any minimum age?—The minimum age is 23, they cannot get in unless they are 23. As a general rule men join as soon as they can get a dispensary, after they are 23, and it takes them as a general rule about three years' waiting, that will bring them to 26 or 27 years of age.

584. Colonel Tottenham.] Where pensions have been granted what has been the usual allotment of the pension; has it been over the union or over the dispensary district that the charge has been made?—I am not able to answer that question satisfactorily.

585. In some cases I believe it has been done upon the union and in some upon the dispensary districts?—So far as I know it is a question of rule; boards of guardians have no power to put it on the district, or to put it on the union.

586. Is there a rule governing it?—I believe there is, but I cannot quote it.

587. You cannot tell whether the rule is to lay it over the union, or over the dispensary district?—No, I cannot give evidence upon that point.

588. Mr. Biggar.] You told us about a medical officer aged 82, whose son did the work for him; with regard to that gentlemen is it not the case that the usual custom is that when doctors are ill, or on leave of absence, a substitute is

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[Continued.]

appointed for a limited time, the expense being paid by the guardians, and at the same time the full salary goes on to the doctor:—According to the 23rd rule for the management of dispensaries, a medical officer becoming ill has simply to notify the fact of his incapacity to do the duty to the secretary of the dispensaries, and to recommend a duly qualified person to do it, and in that case the dispensary committee deals with the person so recommended; and if the person so nominated does the duty, the board of guardians may, or may not, pay him. In some instances they have refused to pay him; but the medical officer is not legally bound to pay the substitute under those circumstances. In practice, however, the system does not so work. The medical men in all districts when they get sick must care for the lives and healths of their patients, and they run off and make a private bargain with somebody to act as their substitute, and that person they recommend to the dispensary committee, who may, or may not, accept the recommendation, and may, or may not, appoint the man; but whenever that man is not paid by the board of guardians subsequently, there is a moral obligation on the sick medical officer to see to his payment. Nevertheless, strictly speaking, what you state is correct, the board of guardians is bound to pay if they make an arrangement with the substitute to that effect.

589. In the alternative case that you put, it amounts, practically, to giving a temporary pension to the medical officer; that is to say, he probably makes a bargain with his substitute at a less rate than he himself receives?—No, as a general rule it is the other way; he often has to pay more money than he receives, because a substitute, taking the duty for a very limited period, expects to be better remunerated than the medical officer who takes it for an extended period.

590. You referred to the case of a gentleman whose son did the work for him; of course the full salary was paid?—Yes, I believe the full salary was paid to the sick medical officer, but the substitute was not paid by the guardians, and did the work for nothing, because the sick officer was his father.

591. So that it was all in the family?—In a certain sense it was; my note is “last five years disabled by chronic gout; had to be lifted into and out of his vehicle; guardians would neither pension him nor pay a substitute, and forced his son (who himself had a large district in the neighbourhood to attend to), to do all the work of the father’s district gratis, which he managed to do, in order to save his family from the workhouse.”

592. Dispensary tickets to parties who are unable to pay the full legal fare of a guinea, by which they are able to pay a small fee of 5s. or 7s. 6d.?—It is utterly contrary to rule for a dispensary medical officer to receive a sixpence of any sort from a patient for whom he receives a dispensary ticket, and if there be any case such as you speak of it is an infraction of the rule, and I believe it to be very exceptional.

593. It would not be an infraction of the rule; a dispensary doctor might recommend to the committee that a person who was not entitled to gratuitous relief was able to pay not the full fee, but the reduced fee?—He could not receive a fee until the ticket had become null and void by being cancelled by the dispensary committee. A man must cease to be a dispensary patient before the doctor can accept a sixpence from him of any sort.

594. In the case you have mentioned of the doctor aged 81, whose son did his work for him, have you told us all the facts candidly?—Entirely so, I believe.

595. Would you be surprised to hear that the facts are not correctly stated?—Necessarily the information which I have given the Committee has been derived from persons on the spot; and it cannot be of my own personal knowledge, but I have complete confidence in the accuracy of the gentlemen who have given me this information. The statements of the cases in which there has been great hardship came from a large number of places in Ireland, and then an inquiry further to develop the facts was made from the persons who originally gave the information.

596. Is it the common custom with doctors in Ireland, irrespective of their dispensary work, that if a person does not get attended through a dispensary ticket

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he would have to pay a guinea for each visit?—Certainly not for each visit. A guinea per visit is the rarest thing possible in the provinces in Ireland. Many medical men will not receive less than 1*l.*, but then they attend five or six times for the 1*l.*, and there are a great number of medical men who receive 10*s.*, or even less for the first visit; but they do not hold themselves bound to attend more than once or twice for it.

597. You raised a point with regard to sanitary officers; is it the custom in the large towns for the dispensary doctor to be the sanitary officer?—The dispensary doctor is the medical officer of health *ipso facto*. In the urban districts such as Dublin and Cork, and Belfast, there is also a superintendent, and he is the head over the system; and there the dispensary doctors are medical officers of health under him; and all through Ireland the dispensary doctors are *ipso facto* medical officers of health.

598. Excepting in large towns?—And even in large towns.

599. In the urban districts, do the dispensary doctors get a salary as sanitary inspectors from the boards of guardians?—Yes, they get a small salary; and in addition, in urban districts, there is a superintending officer who gets a larger salary.

600. Is he under the control of the town council?—He is under the control of the guardians in every case in which the guardians are the sanitary authority; but in places where the town commissioners are the sanitary authority, as in many urban districts, he is the town commissioners' officer.

601. But he is paid by the guardians all the same?—He is paid out of the rates.

602. Then he is more or less dependent upon them for his pension?—Yes. According to the present law a medical officer does not receive any pension in respect of his sanitary salary, because the law which made him medical officer of health passed at a date subsequent to that law which gave him superannuation, and therefore he is excluded from receiving a pension in respect of his sanitary salary; but under the Bill now before the Committee it is proposed that sanitary salaries shall be included as a part of his emoluments.

603. Mr. Robinson named several grades of salary which a dispensary doctor gets, and several grades of emoluments. First of all can you tell us what they are?—He has his salary as a dispensary medical officer, or *mutatis mutandis*, if he is a workhouse medical officer.

604. He is not necessarily a dispensary medical officer if he is a workhouse medical officer?—No, but he has his salary as a dispensary doctor in the union; he gets the vaccination fees, and he has the fees for the registration of births, deaths, and marriages, and he has the emolument as a medical officer of health, and he has one or two subsidiary things; for instance, he has the fees for the certifying of dangerous lunatics; and occasionally he has fees for giving evidence in sanitary prosecutions, those being little matters of a guinea here and there.

605. Could you give me an estimate of what the salary would be for a dispensary doctor?—I think the average salary of all the dispensary doctors in Ireland is about 102*l.*

606. That is the salary alone?—Yes, the salary alone, I think, is about that.

607. About what would the dispensary doctor earn with his vaccination fees?—Of course they vary enormously, because in large metropolitan districts the vaccination fees are very valuable, whereas, in country districts sometimes they are almost nil, but I should say, all round, from 6*l.* to 8*l.* a year would be the average.

608. And the same argument, I suppose, would apply to the registration fees?—Yes, the same argument would apply to them, with this difference: I think the registration fees would not probably be as high as those for vaccination; they would not amount to 8*l.* a year on the average.

609. What does he get as medical officer of health?—Varying from 5*l.* up to 15*l.* I should say that 10*l.* would be a fair average.

610. Then what are his fees for certifying lunatics?—That would be a couple of guineas a year, perhaps.

611. And what are the fees for sanitary prosecutions?—On the average, probably, about a couple of guineas a year. In a great many districts there is never such a thing as a sanitary prosecution.

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612. That would make 129 *l.* on the average?—Yes, about that.

613. Is it not the case that in a country dispensary district it is indispensable for a doctor to keep a horse?—Perfectly indispensable.

614. In the case of superannuation would the expense of the horse be taken off his gross income?—It is not contemplated that it should be taken off his gross income. It is a portion of his household expenditure so much as milk or any other necessary of life is.

615. Of course he cannot live without household expenses, but if he were retired on a pension would he require to keep a horse?—It would depend upon the nature of his district whether he would or not.

616. Of course, when practising in a country district, and he had to move about from place to place he would require some means of conveyance; he must either hire a machine, or drive; that is certainly not a personal expense, but a trade expense?—I do not anticipate that a man when he retired would remain in the house for ever; he would require to go out to a limited degree for a short distance, although, perhaps, not to any great extent.

617. Do you mean to tell me that a retired dispensary doctor who would have 129 *l.* a year would require to keep a horse for his own personal use, supposing he retired from practice?—No, I think he would not, taking the average of cases.

618. Do you think in that case the expense of a horse should be taken off the gross income, supposing it came to be a question of what his net income should be? Of course you know that it is proposed to estimate the lodging money and the rations of the other officers of the poor law?—Yes, I do; but I do not think any deduction from gross income should be made.

619. And where there are special expenses, do you think it is legitimate that those unavoidable expenses should be taken off the gross income?—I would not think it at all equitable that the expense of a horse should be taken off the gross income, for I look upon a horse in a country district as almost a necessity, irrespective of a man's public duty.

620. Do you mean to tell me that a man living privately with only 129 *l.* a year would keep a horse for his own private use?—I think most men in the position of retired medical officers would require to keep a horse in a country district.

621. Would he require to live in a country district at all?—No, he would not require to live in a country district, he might go anywhere he liked.

622. I am supposing that there are no unavoidable drawbacks that keep him all the time in his lodgings, but is it not the case that in large registration districts, such as Belfast, the registration is done by proxy?—I cannot answer for Belfast, but it is very unusual in Ireland, and if it exists at Belfast it does not exist much elsewhere.

623. Supposing that it did exist, would you think it legitimate that the money paid to the proxy should be taken off the gross income?—I presume that in a case where a proxy is employed the proxy would be paid by the medical man.

624. Then, of course, the balance or the net profit belongs to the dispensary doctor?—Yes.

625. And, of course, he would only have a right to pay the balance; he would be only entitled to get a pension based upon the balance?—Yes, I think the balance would be only his emolument. As a matter of fact the dispensary officers throughout Ireland have the refusal of the REGISTRARSHIPS except in a case where the dispensary doctor is already in office. When a medical officer is appointed to a district, he has a right to have the appointment, if he pleases, and in 99 cases out of every 100 he does have the appointment. The Registrar General puts every pressure upon him to make him take the appointment, and the consequence is that cases in which proxies exist are extremely rare. If they exist in Belfast (and I was not aware of the fact), it must be about the only place where they do exist.

626. Mr. *Beady*.] Do you hold any office under the Local Government Board?—No; I never was a poor law medical officer; but from the position which I have held for a number of years of Editor of the "Medical Press and Circular," I have had most intimate communications with the poor law medical officers over the country for 20 and odd years.

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627. Are you secretary to the Irish Medical Association?—I am not secretary; I am on the executive committee.

628. How long have you held that office?—I have been a member of the executive committee 15 or 16 years.

629. When was the Association formed?—It was formed in the year 1839, and it was reconstructed in the year 1853.

630. How often does the executive of the Medical Association meet?—Every week.

631. Then may I say that you look very vigilantly after the interests of the medical profession?—We do so as closely as we possibly can.

632. You are aware that at the time when the medical charities were instituted, the salaries and emoluments of the medical profession out of the rates were much lower than they are now?—I am aware of that.

633. And I think I may say that it is to the credit of the Irish Medical Association that an increase of leverage has been obtained, by which a gradual increase in the salaries and emoluments of the doctors has been made general?—The Irish Medical Association deserves credit for having availed itself of the natural advance in emoluments and the natural advance in the cost of living, and they have availed themselves of those facts to bring them before the notice of the boards of guardians; but the growth of salaries, I take it, has been in consequence of the growth of the expenditure required by a medical officer to do his duty.

634. But it is the fact that when the medical officers were attached to the union at first they got no salary whatever for the great many minor sources of emolument which you have just mentioned to my honourable friend, the Member for Cavan?—They always received a salary, but many of the minor sources of emolument did not exist.

635. Did they originally get the vaccination fees?—Only since the passing of the Compulsory Vaccination Act.

636. The same thing, of course, applies to the registration fees, the Act for which was passed about 1863?—Yes.

637. Did they originally get the salaries of the medical officers of health?—Since 1878; that was the date of the passing of the Public Health Act; according as each Act was passed those emoluments accrued.

638. Did they originally get the emolument for the certification of dangerous lunatics?—No, only for the last six or seven years.

639. How was that obtained for them?—The original Act was passed in 1867, obliging medical officers to certify for nothing, and then in a subsequent Act, passed in the year 1875, a clause was inserted giving them the emoluments, subject to the approval of the magistrates, who would certify to that effect. In the case of dangerous lunatics, but not any other lunatics, they are necessarily brought before the magistrates with a view to their commitment by the police.

640. With regard to giving evidence in sanitary prosecutions, when was that charge granted them?—From the date of the Public Health Act, which, I think, was 1878.

641. Therefore, in point of fact, the whole average salary of the medical officers originally was about 100 *l.* per annum, and they have since then, in emoluments, got a gradual addition out of the rates of about 30 *l.* per annum?—Yes; by those emoluments they have acquired an additional income of somewhere about that.

642. I suppose in the origination of those Acts of Parliament your Association has had considerable influence?—Yes, we have done our best in those cases.

643. May I ask how you applied that influence to have an Act of Parliament passed?—In the case of the Public Health Act, for instance, we appeared here before a Committee of the House.

644. Take the Act of 1869, which makes a special exception in favour of poor law medical officers to this effect, that a board of guardians may grant superannuation to medical officers, even where their time has not been wholly devoted to the service of the union; you are aware that that applies to no other

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officers but medical officers?—Yes; but the medical officers were the only exception at that time.

645. Were you on the Executive Committee of the Irish Medical Association at that time, in 1869?—Yes, I was.

646. I presume that the Irish Medical Association had considerable weight in bringing about the passing of the Superannuation Act of that date?—Yes.

647. Might I ask to whom they made their representations?—To Members of the House and Members of the Government at the time. Dr. Darby, of Bray, and others, came over here for the purpose of exercising the usual influence.

648. It is also the fact, is it not, that one of the three members of the Local Government Board of Ireland is a doctor?—Yes.

649. Are you acquainted with the gentleman now holding that office?—Yes; it is Dr. Croker King at present.

650. Were your society consulted with regard to any of the clauses of the present Bill by the officials in Ireland?—I cannot say that we were consulted, but we made representations to the Local Government Board.

651. Did you advise with the Local Government Board on that Bill?—We laid our views before them in the strongest possible terms.

652. I assume that the medical officers object very strongly to the boards of guardians having the power to grant superannuations, and prefer that the initiative should lie with the Local Government Board?—We have always considered it immaterial to us whether the Local Government Board or the boards of guardians had the doing of it, so long as it was compulsory. In point of fact, our original proposition was that the boards of guardians should have the doing of it.

653. My point is this, that, as between the guardians and the Local Government Board, your association prefers the Local Government Board?—No; the plan that we go for is that the board of guardians shall grant the superannuation compulsorily; that they shall be obliged to do so.

654. You are in favour of compulsion; so that it is not the guardians who grant it at all if it is compulsory; the Act of Parliament and the action of the guardians is entirely *nil*. But, as between the plan for giving the guardians the option, or the Local Government Board, which is your Association in favour of?—If there is to be an option in the matter, we would much rather have it with the Local Government Board.

655. And you have your reasons for that upon the refusals of the guardians to grant superannuation?—Exactly.

656. And upon no other reasons?—Upon no other reasons, but simply because we consider that the question of the superannuation of a medical officer by the guardians is encumbered with many other considerations than his fitness for office and for the discharge of the duty; whereas in the case of the Local Government Board we suppose that their reasons would be more strictly confined to the good discharge of his duty.

657. Are you acquainted with Dr. John Henry Chapman, late President of the Irish Medical Association?—Yes.

658. Are you aware that he addressed a letter to the Right Honourable William Edward Forster, dated the 27th April 1882?—Yes.

659. And you printed that letter in the "Medical Press and Circular"?—Yes.

660. Do you approve of the terms of that letter?—Yes, I think so.

661. In that letter he says, "The Council are aware that the individuals who constitute boards of guardians have been of late, and at present are to a great extent, not selected from the class who desire to promote and maintain the observance of law and order, but from those who advocate Fenianism, Land-leaguism, and such other forms of agitation as are the bane of Ireland; and the Council fear that the effect of re-investing boards of guardians with any powers relative to superannuation of their officers would inevitably tend to demoralisation of those officers, and be a strong incentive power to force them to associate themselves with political principles of a disloyal nature." Do you approve of that language?—I suppose that the Irish Medical Association is responsible

responsible for it, as it is an official communication; but I cannot say that, personally, I approve of it.

662. But you printed it in the "Medical Press and Circular"?—Yes. I print every official communication from the Irish Medical Association, or any other medical association.

663. Is the Irish Medical Association responsible for the language of Dr. Chapman?—He speaks on their behalf, and I presume that they must be held responsible.

664. Then we may take it that the Irish Medical Association endorses the views of Dr. Chapman with regard to boards of guardians?—I am afraid that the paragraph which you have read is certainly an extreme view, and perhaps may not have been carefully examined into by the executive of the Association before it was allowed to go forward; and I, personally, would consider it to be a very extreme view; but that it did go forward as an expression of opinion from the Association there cannot be any doubt.

665. I take it from the views of Dr. Chapman that he considers it very undesirable that the loyal gentlemen who constitute the general medical body in Ireland should be mixed up with the individuals who constitute, to a great extent, the boards of guardians, and "who advocate Fenianism, Landleaguism, and such other forms of agitation as are the bane of Ireland"?—I take it that the sense intended to be conveyed was that, naturally, in the case of a poor law medical officer it would be his interest to share the views of those who had most influence in the boards of guardians.

666. And, therefore, your Association recommended, as a political measure, that the power should be taken from the boards of guardians and handed over to those three gentlemen sitting in Dublin?—No; we did not recommend that, nor do we recommend that now. On the contrary, as I said before, it was the original proposition of our Association that the grant of pensions should pass through the hands of the boards of guardians, and that they should debate it and consider the fitness of the medical man for it, and whether he came within the terms of the law which required it; but we did not wish to give them, they having decided upon the circumstances under which the application for a pension was made, any discretion as to granting the pension.

667. Apparently your Association considers it injurious to the loyal principles which permeate the Association, if officers were subjected in any degree to the influence of local boards of guardians?—I think it is not only essential, but right, that the medical officers should consider the influence and views of their boards of guardians, and they necessarily will do so.

668. I take it that you would dissociate yourself from those sentiments?—Personally I certainly would not put them forward as my own.

669. Then it is complained that boards of guardians have not done their duty to medical officers in point of pension; are you aware that out of the total number of pensions now granted, amounting to 13,672 £, which now falls as a charge upon the rates, the doctors get one-half to themselves, although the doctors are only a small proportion of the entire union officers?—I take it that your figures are correct, but I cannot speak of my own knowledge.

670. There are 101 doctors who get in gross 6,834 £ of pensions, and there are 264 other officers of all kinds who only get 6,842 £; so that the 101 doctors get within 8 £ as much as the 264 other officers of all descriptions; and whereas the average pension to all the other officers is only 26 £ a year, the doctors get, on an average, 68 £ a year?—Yes; but they are very superior officers; the numbers that make up the 264 represent non-medical persons, and they are many of them nurses and porters, and persons of that class, on very small salaries; so that, although their numerical importance may be very great, the total of their salaries, if they were taken, would not reach those medical officers. I wish to state, in that connection, that 189 pensions were made (under Mr. Meldow's Return) to medical officers between the years 1867 and 1880; that represents 16 per annum, which, out of 1,000 medical officers represents one and a half per cent. of the whole; so that only one and a half per cent. of the whole of this large number of medical officers ventured to ask for pensions; and that fact

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alone shows that a great number of persons refrained from asking what they might reasonably be expected to have asked.

671. Mr. Biggar.] Do you not know it to be a fact, that in the dispensary districts the ordinary custom is for a young dispensary doctor to get into the dispensary appointment, and only to hold it for a very few years, until he gets into general practice, and that he does not resign either from incapacity, from old age, or ill health, or any other cause of that sort?—No, it is not generally so. In large towns, of course, a man will give his dispensary district up as soon as his professional avocations become so remunerative and engrossing as to enable him to do so; I suppose that observation applies equally to Dublin, Belfast, and anywhere else.

672. Mr. Healy.] You think, then, that the comparatively large poundage of the pensions to doctors, as compared with other officials, is on account of the larger salaries of the higher class of officials; how then do you account for the fact, whilst I suppose the doctors, as compared with other officers of all kinds, must be in the proportion of one-sixth?—No, it is not so; if you take in all the out-lying dispensary districts of a union, the doctors form a very considerable proportion of the entire number of union officers, I cannot exactly say what the proportion is; but an average union will have, let us say, six dispensary districts attached, and that will mean six medical officers, besides the workhouse medical officers. I should think there would be about an average of eight medical officers attached to each union.

673. How many other officers?—I could not answer the question as to the other officers; I should think if there were 23 or 24 others that might be about it, but that would be a mere guess.

674. Would you say three times as many non-medical officers as medical?—Yes, about that.

675. Then the 101 doctors have got pensions, whereas 264 other officers, that is one-third of the entire number who have managed to secure pensions, although they complain of the boards of guardians more than any other class of officials; more than the 264 other officers of all kinds, so that there cannot be any special disability laboured under by the doctors, because they seem to have come off better with regard to pensions than any other class of officers, both in point of numbers and in point of salaries?—As to the statistical question, I could not answer definitely without going into the figures more closely, but I contend that the other officers have suffered very much too, and therefore the comparison between them and the doctors rather establishes the case of the medical men.

676. What is the average of the salaries that the doctors get from their other duties outside the union; that is to say, from private practice?—That depends solely on the circumstances of the district.

677. Speaking roughly, what would you say?—Taking an average country district in Ireland, if a man makes 150 £ or 200 £ in addition to his professional emoluments, he is considered well off, but that can be only taken as an average, because there are districts in which men do not make 25 £, and other districts in which they make more.

678. Would you say half from salary and half from private sources?—Yes, it might be so.

679. Is it not the case that the other officers, to a large extent, are debarred from holding any other office, but if they do they are debarred from pension, whereas there is a special Act giving the doctors a right of pension, although their whole time is not taken up with the duties of their office?—On the contrary, other officers, for instance, the clerks of the unions, do hold a variety of offices, and they are not debarred from pension.

680. If the clerk of a union holds any other office, is he not thereby debarred from a pension?—If he gets a pension at all he gets it in respect of those offices.

681. My question is, supposing the clerk of a union does other business, supposing he is a solicitor, can he be superannuated?—I speak of the offices which he holds in connection with the clerkship.

682. Supposing the clerk of a union did other work besides his union work,
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does it not debar him from a pension?—No, I think not. I think, so far as I know, the clerk of the union might be a farmer, and he would receive a pension notwithstanding.

683. The Act says that his "whole time" must be devoted to the service of the union?—I imagine that that is an elastic phrase in some cases.

684. If it is elastic, how is that your body had to get an Act of Parliament which states that the "whole time" of a doctor need not be devoted to the union; surely the 1865 Act must be carried out strictly?—The reason why that Act was got was, because the original Act confined superannuation to those whose whole time was devoted to their duties, and it was held to mean persons who remained in their offices in the transaction of union business from morning till night; and that Act which you hold in your hand was got so as to include medical officers who, although their whole time was at the disposal of the union, did not necessarily give the whole of their time to the union.

685. And, therefore, the medical officers not only are able to double their salary from external sources, but, in addition, they are relieved from the disability which lies upon other officers; they are able to get a pension, although their whole time has not been devoted to their duties; is not that a correct statement of the case?—Yes; they are relieved of this disability so far that they are able to pursue private practice.

686. You have used the phrase that medical officers are "willing to surrender" something with regard to pensions, in order to get a pension secured to them on the Civil Service scale; what is it that they surrender?—They surrender the right of obtaining a possible superannuation after a short period of service, amounting to full two-thirds of their emoluments. At the present moment a poor law medical officer might go out of office a fortnight after his appointment; and if the boards of guardians wish it they could give him the full two-thirds; but under the proposed Bill now before the Committee, it would be impossible for him to have his two-thirds, or any pension until he has fulfilled a certain period of service. Assuming the grant of the pension according to the Civil Service scale, the poor law medical officers, if the Bill that is now before the Committee should pass, would lose that which they might have, that is, two-thirds of their emoluments and salary after a limited period of service; but they would gain the certainty of having it after a certain period.

687. You appear to be under the impression that the present Bill is compulsory?—No; but I say that the Bill that we strongly advocate would be a compulsory one.

688. Mr. Meldon.] My question was, if it was made compulsory, would they give up their present right?—Yes.

689. Mr. Healy.] You mentioned a hard case in which a board of guardians, after having granted a man a pension withdrew it, because the charge fell upon the local district union; but I think it came out afterwards that that was as far back as 1872?—According to the explanation given by Mr. Robinson to-day, it must have been previous to that, but it was mentioned in Mr. Meldon's return as one of the cases.

690. Then a case like that could not again arise?—No; it could not again arise.

691. With reference to the 6th clause of this Bill, which enables the Local Government Board to add a certain number of years to make provision for cases of professional qualification, that does not apply to any other than medical officers' class?—It would apply to medical officers, certainly; it might include others, but it would certainly apply to medical officers.

692. Then I may take that that it is a clause more largely in the interests of the medical officers than of many other officers?—That would altogether depend upon the interpretation which was put upon the words of the clause as to what officers it would include, but certainly it would include medical officers, because it speaks of professional services and professional qualifications.

693. The Local Government Board are empowered to add any number of years not exceeding 10 years to their service, thereby increasing their nominal service by 10 years?—Yes.

694. And your association recommend 20?—Yes.

695. On what grounds?—We say, if you take away from us the present

privilege that we have of getting two-thirds after a short period of service; if you make us Civil servants, and thereby limit our allowances, you should go to the full length of the Civil Service Act, and 20 years is the term in the Civil Service Act, Dr. Playfair's Act. According to the Playfair Act, 20 years is the period of service allowed to be added to a professional man's service in the computation of his pension. We do not see any reason why poor law medical officers should be placed in a different position from any other Civil servants if this Bill should pass.

696. Could you give us another instance in which this alleged Civil Service scale has been put in operation?—I have given instances in which the scale, as now existing under the Local Government Board, is not in conformity with the Playfair Act.

697. I think you heard the evidence of Mr. Robinson yesterday, in which he admitted that, in point of years, and in point of salary, and in point of compulsion, there was also a departure from the Civil Service Act?—Yes; in the Bill as at present before the Committee.

698. Might I ask you how much of the Civil Service scheme is really in this Bill?—If the Bill should eventually remove the words "not exceeding," and substitute "of," and if it should eventually substitute 20 years for 10 years in the clause to which you have just referred, then it would be in conformity with the Civil Service Act.

699. In point of form, it will; but seeing that the Civil servants can join at 21, whereas it is well known that nobody would give a nurse or a medical man or a clerk an office at that age, and that they are generally persons of more mature age, the Civil Service scale cannot be supposed to be a suitable one?—There might be practical hardships in applying the Civil Service scale; nevertheless the poor law medical officers are so earnest in the matter of getting security that they are prepared to sacrifice these smaller points, and to take the Civil Service scale if it is granted to them.

700. And also, in point of salary, the parity of the Civil Service is not established, because the average Civil servant's salary, as I understand it, is a much greater salary than the average poor law officer's salary?—Yes.

701. For instance, if a member of your association pass an examination for a medical officer in the Indian Civil Service, or for any other Civil Service appointment, he would be able to get a much greater salary than he gets under the Irish Local Government Board from the boards of guardians?—Yes; but in that case he would be whole time officer, so that we could not reasonably claim on those grounds.

702. Do you think that, under all the circumstances, the conditions of the medical officers and other officers in Ireland correspond with those of the Civil servants in England to such an extent that it is desirable the Civil Service scale should be put in operation in Ireland as the best that could be adopted?—I would not be prepared to say that it is the best, but it is a scale which is fairly applicable, and of which there has been the fullest experience, and it seems to us to come nearly to what would be a fair and practicable scale; and therefore we desire the application of it to the poor law medical officers.

703. The Civil Service scale contemplates an officer beginning at 20 and going on to 60; that is to say, it contemplates 40 years' service?—Yes.

704. Is it your experience that the officers of Irish unions in one case out of 20 have 40 years' service?—There is a considerable percentage of men who go the whole 40 years; I should say more than one out of 20, decidedly.

705. Would there be one out of 10?—I think that you would be making an excessive estimate if you said that one-tenth go 40 years.

706. Have you any experience at all with regard to Civil servants?—I have a little memorandum on that point. The retirement age of medical officers is much higher than that of Civil servants generally, although owing to the arduous nature of their work they ought to retire much earlier. I find that 89 non-medical professional Civil servants taken at random from the superannuation lists retired on an average at the age of 60, whilst 84 medical officers did not on an average retire until they had reached 66·2, so that there is an excess
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of age in the case of the medical officers of 6-2 years, comparing the two classes.

707. Are you able to bring out a similar average age of retirement as well as average age of service?—On the question of service, I am not able to speak.

708. But whilst there is the fact of the unlikelihood of the appointment under the Union Officers Act at an earlier age, say, from 26 to 30, and the fact that under the Civil Service Regulations it is compulsory to join within much lower limits of age, do you think that an average of 40 years would be a very frequent or possible average?—A professional man would not have to serve 40 years; he would have 10 years or 20 years added in order to reach 40, because he would, according to the terms of the Bill as it now stands, have 10 years, and according to our contention 20 years added; so that in the case of an officer who has served 30 years, he would be entitled to credit for 40 years in the assessment of his superannuation.

709. Do not you think that instead of having an artificial device and giving the Local Government Board power to add on a number of years to the extent of 10 years, it would be better to change the sixtieths into fiftieths, because you must see that the average number of years is not 40 (inasmuch as 30 counts for 40), if it even reaches 25?—I think that the arrangement would be equally practicable, but that would necessitate the making of a separate scale for non-medical and medical officers, which scale is made in a different way by the clause to which you refer.

710. Then your contention, I gather is, that a medical officer ought to be retired earlier than another officer?—Yes, because his duties require much more youth and physical capacity for their discharge; the duties of a man who has nothing to do but to attend behind a desk, are not comparable to those of a man who has to get up at one or two in the morning, and to drive a carriage across the country to attend a case on the side of a hill; and therefore we say that 10 years or 20 years addition is reasonable, and that it is as good a way of allowing a man to retire at an earlier age as any other way.

711. Instead of adopting the Civil Service scale, which appears, therefore, so unfitted for the union officers in Ireland, do not you think it would be a better plan to fix the number of years' service and say that if a doctor has had 25 years' service, or 20 years, or 15 years, he shall be entitled to apply to the Board for superannuation if unable to do duty?—No; I think taking the cases all round, no scheme that I have heard of will fit the poor law medical officers so satisfactorily as the Civil Service scale.

712. Then, in fact, we may gather that the Civil Service scale is introduced for the benefit of the medical officers in this Bill, and that the other officers throughout Ireland will not be benefited by it to the same extent as the medical officers, for this reason, that there is a clause whereby, after 10 years' service, a man may be pensioned; do you think it likely that any man would get a pension after 10 years' service, except doctors?—The medical officers do not attach great importance to getting pensions earlier in life, or until they are incapable. That is not our object at all, so long as we are assured of good pensions or satisfactory and just pensions when incapable; we do not go for pensions early in life unless in very exceptional cases.

713. If a man got sick after 10 years duty and got a pension, and then, after a year or two got quite well again and went into his private practice as well as ever, do you think it would be a fair thing to the ratepayers that he should be paid his pension from the rates when he was able to make an income from outside?—Yes, I think it would be fair. In the Civil Service, if a man takes his superannuation allowance and goes away and subsequently becomes capable of doing other work, he is at liberty to do that other work; and I do not see why medical officers should be dealt with in a different spirit.

714. Have you read the 5th Clause, which states that any officer who, after being pensioned off, holds any office under the Government or under the Local Government Board can never earn money by taking any other office, whereas doctors have private practice open to them, and might earn a considerable income?—I am not speaking of officers under the Local

Government Board, but if the clerk of a union officer or the master of a workhouse were superannuated for ill-health, and got well at some subsequent period, he could keep a shop, or he could engage on a farm, and do a great variety of other things which would not be office under the Local Government Board or under the Government, and so a medical man might engage in private practice afterwards, and I think it quite right that he should be allowed to do so.

715. You are not in favour of making the limit of age the basis of pension, say 20 years' service and 60 years of age; you are in favour of a graded scale by tenths of sixtieths?—I am in favour of a graded scale by tenths of sixtieths.

716. Sir Patrick O'Brien.] The honourable Member for Cavan asked you about what was the average salary of the medical officers throughout Ireland, and you said 102 *l.* a-year, and that with other sums for minor appointments, made up the amount of 129 *l.* a-year?—Yes.

717. Most of the appointments which you enumerated were duties in their very nature to be performed by medical men, were they not, such as examination of dangerous lunatics, the position of sanitary officers, and appointments of that kind?—Yes all of them essentially medical.

718. Asking you not to consider this Bill before the Committee in the nature of a Bill to amend the position of medical and other officers under the poor law, but having regard to paupers in the union, can you tell me whether to your knowledge the medical treatment of paupers throughout Ireland generally, in the Irish workhouses, has suffered by this system of refusing to retire medical officers?—Yes; I believe they have largely suffered.

719. To any considerable extent?—Yes; I say you cannot have 71 persons incapable, or supposed to be incapable by age, in addition to the large number of persons who are probably incapable from ill-health, who pretend to do the duty of dispensary doctors, which duty is physically excessively arduous, without the paupers suffering.

720. And you imagine that men of that age would not be fit to attend cases of night calls?—Yes.

721. You were asked about different unions and divisions of unions in Ireland; your knowledge as editor of this paper makes you very well acquainted with all parts of Ireland?—Yes.

722. Are there not districts in Mayo of such an extent as to oblige the medical officer to ride 20 miles upon occasion?—Yes, if a man happens to live on the edge of the district, he may have to ride 20 miles, and there are other districts which include islands on the Atlantic, where a man may ride 15 or 18 miles first and take a boat.

723. And he may not be able to get there at some seasons of the year. In one of the districts in Mayo there are 15 miles included in one dispensary district, are there not?—Yes.

724. Are you able to tell the Committee what are the reasons which have actuated the boards of guardians in Ireland in refusing after a man's resignation to grant him any pension?—The reasons as officially given are in Mr. Meldom's Return in many cases.

725. They are open to us; I do not ask for official reasons, but I ask you as a medical man of experience, and editor of a medical journal, whether it is not a matter of common notoriety in the profession, and in Ireland generally, and I ask your opinion of the reasons which have actuated boards of guardians after the resignation of their medical officers in refusing to grant them any pension?—To be frank, the reason is, that medical officers, for a variety of reasons, do not appear to be popular with their boards of guardians; so many circumstances tend to make them unpopular with boards of guardians; one or other of these circumstances may be the cause of the refusal.

726. Without pursuing that answer, may I ask you, are the reasons of a medical character from inefficiency as a medical officer, which have induced them not to grant a pension?—As a general rule, decidedly not.

727. Can you state what per-centage in 100 might there be of medical reasons operating with boards of guardians inducing them not to pay resigned medical

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medical officers?—I cannot make an assessment in 100, but there are numerous cases where the guardians themselves have admitted the good service and the claim of the officer, and have nevertheless refused to grant a pension. There was the case of Dr. Davison, in Dromara, in county Down, very recently brought under the notice of the House of Commons. The board of guardians passed a resolution declaring him efficient, and that he had efficiently discharged his duties for a long time, nevertheless they refused him any pension.

728. Having regard to the labour as one of the elements of the wealth of a district, are you able to say upon a mere economic view, whether the poor law district has not suffered more in a material point of view, by the amount of labour lost by the bad attendance on the part of disqualified medical men, who continued to hold their position, than if pensions were awarded, and new men appointed?—The financial results of that condition of things have been very bad in certain districts, and more than that, I know more than one district in Ireland where the poor people are obliged to go out of the district to long distances to beg advice of doctors upon whom they have no legal claim, because their medical officers who ought to attend them is really incapable of doing it, from age and ill-health.

729. Is that the mere idea of an individual, or the prevailing belief in the district, of his not being competent to perform the duties?—It is the prevailing opinion to this extent, that the legal medical officer gets hardly any call from the poor, while men in the district round about get abundance of gratuitous work in regard to persons coming and begging for relief.

730. Would you say that state of society exists in a few unions, or is it general?—I would not say it is general, it is an exceptional condition of things.

731. With regard to the class of men that filled the position of medical officers referred to in the evidence before this Committee, do not you occasionally get men of considerable position, like Dr. Hudson, lately the head of the medical profession in Dublin, as public officers?—Yes.

732. Mr. Biggar.] In your official experience is it not the case that the great majority of the dispensary patients require food and comfortable housing more than they do medicine?—They require that also.

733. But much more?—No, not more. For instance, if a person has inflammation of the lungs, no amount of good food and housing will cure inflammation of the lungs, though it may go a good way towards it.

734. Sir Patrick O'Brien.] If it was necessary to give any special food and aliment to a patient, would not it be the medical officer's duty to mention to the Poor Law Board that he should have that improved aliment and nourishment, and that that would be part of his prescription?—He must make a requisition to the relieving officer.

735. And it must be attended to?—Yes, it is attended to for the time being by the relieving officer, who submits, for the approval of the board at the next meeting, the relief which he has so granted, and the board of guardians approves or disapproves according as they please.

736. Mr. Callan.] In answer to the honourable Member for King's County, who asked you as to the causes why superannuation was not made in respect of medical officers, you assigned one reason, and one only, that of unpopularity?—Yes.

737. Do you still adhere to that reason?—I said that in the majority of cases they refused for that reason.

738. You said unpopularity was the sole reason?—Yes, in the majority of cases.

739. With regard to the statement of cases supplied to us by the Union Officers' Association, did you furnish any of the cases?—I did not furnish any cases, but some of those cases are identical with the cases which I laid before the Committee.

740. So far as you know this is an accurate calculation?—So far as I know it is.

741. And so far as refers to medical officers it is correct?—Yes, I believe so.

742. There are 15 cases of medical officers included in the 69 cases?—May I make myself understood, that list was composed by the Union Officers' Association, but it only came casually under my observation, and though I have read it through I am not responsible for it.

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743. You have read it?—Yes.

744. And it is correct, so far as you know?—Yes.

745. And there were 15 cases selected out of the 69 as the medical officer's cases?—Yes.

746. Take No. 2, "Dispensary medical officer, 66 years of age, and many years in the service; this officer was recommended by his dispensary committee for superannuation, but guardians refused, for same reason as No. 1." Then No. 1 is, "Matron, 70 years of age, 27 years in the service. The guardians of this union abhor the idea of granting superannuation to a public officer." Was that a correct representation?—Yes, I believe so.

747. It was not unpopularity in that case; he was recommended by the dispensary committee, and refused by the guardians, upon the express ground that they abhorred the idea of granting superannuation to a public officer?—No; as to the statement that unpopularity is the case, I think it right to say that there are one or two unions in Ireland who make a rigid rule not to grant pensions.

748. Your answer is, that the sole reason why superannuations are not granted is unpopularity?—Yes, in the majority of cases.

749. I am going over the majority of the 15 cases; that is No. 1, and it was upon a specific ground that it was refused. Now take No. 21, "Dispensary medical officer, 60 years of age, 32 years in the service. Refused superannuation, on the grounds of economy, and the guardians believing him not to be in need of it;" that was not on the ground of popularity; that is No. 21?—Yes, I think it is unpopularity, because if that man had been popular with the guardians the guardians would have believed him to be in need of it, and would have granted it.

750. But you have no grounds for that belief?—I do not know what the particular case, No. 21, is; I do not know the name of the gentleman or the district, so that I could not form a judgment upon that point.

751. Now take the next, No. 25, "Dispensary medical officer, 60 years of age; refused superannuation; the grounds being that the dispensary committee objected, as it would at that time have been a district charge;" is that unpopularity?—I think it is, because if the man had not been unpopular they would have granted it, notwithstanding it was a district charge.

752. Then No. 45, "Superannuation refused, as the guardians were opposed to the principle"; these are the cases assigned by the Association?—Yes.

753. Now take No. 53, "Dispensary doctor, 75 years of age, 40 years in the service; superannuation refused on the grounds that he had private means"; that was not unpopularity?—It was unpopularity. In the case which that refers to he had private means, but I believe he would have been superannuated if he had been popular.

754. The next is No. 55, "Dispensary and workhouse medical officer. This officer on retiring was presented with a complimentary address, but when the question of superannuation was before the board, the proposition was not even seconded, the guardians considering he had sufficient private means to support him, and did not therefore require any superannuation allowance"; was that unpopularity?—The fact that he was presented with a complimentary address would tend to show that it was not unpopularity; nevertheless if he had been a popular man, the guardians would have granted him a superannuation, and would not have confined themselves to a complimentary address.

755. Now take No. 62, "Dispensary medical officer, 78 years of age, 30 years in the service. This officer would have sought retiring allowance long since had there been any probability of a moderate pension being granted. This board of guardians, on a vicious and mistaken principle, grants nothing of the kind, and has not done so for eleven years in any instance"; was that unpopularity?—No, that is the rule in that union.

756. In answer to the Right honourable Member for Dublin University, you said that you are aware of the practice of "scarlet runners"?—I am.

757. And you stated that that practice existed all over Ireland?—Yes, speaking generally.

758. And

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758. And that the poor law guardians are more inclined to abuse it than the relieving officers?—Yes, members of dispensary committees.

759. Are you aware that receiving out-door relief from the board of guardians disqualifies for the franchise?—Not out-door medical relief.

760. Out-door relief?—Yes.

761. Therefore, the Legislature when passing the Acts of Parliament contemplated that medical relief would be given to a much higher class of people than those who receive ordinary poor law relief?—Yes.

762. And that that would not disqualify them for the franchise?—Yes.

763. Therefore when Parliament was passing that statute, it contemplated that medical relief should be given to a higher class than were ordinary poor law relief?—Yes.

764. Are you aware that of late years this system of scarlet runners has been given to a much higher rated class of people, in consequence of the excessive poverty of the Irish farmers?—No, I am not aware of that, but I desire to convey to the Committee this, that the scarlet runners were given without any consideration of the poverty or affluence of the recipients.

765. Do you say that of your own knowledge?—Yes.

766. Can you give any instance?—I stated that it was the system in numerous unions for the dispensary committee men, who happen to be shopkeepers, to keep books of dispensary tickets without any names signed upon them; they sign those books *en bloc* themselves and leave them with the assistant in their shop, who issues them to every customer who comes and asks for them, and they are granted, from my point of view, because the person is a customer; and I can state to the Committee that they are granted without any discrimination whatever.

767. Are you aware that in some cases it is a very general practice to sign relief tickets in blank?—Yes.

768. For the purpose of convenience?—Yes.

769. Will you be surprised to hear that I, having been for 10 or 12 years a poor law guardian resident in Ireland, sign my tickets in blank, so that during my very frequent absences from home, my neighbours would not be under the necessity of travelling four or five miles to obtain a ticket, and I do not keep a shop?—It would not surprise me to hear it, but you did what was entirely contrary to the law.

770. The party who signs the ticket is responsible that the party receiving it should be a proper party, even though he did sign it in blank?—Yes; but he cannot be responsible when he is not there.

771. The signature makes him responsible if a doctor takes action against him; would not it tend much to the increased comfort of medical officers if they could obtain a consideration of their application for a pension before resignation?—Certainly.

772. Would you recommend it?—Very strongly.

773. Is it provided for in the proposed Bill?—No, it is not provided for in the Bill.

774. Do not you think that it would be an advisable addition if it were provided for?—If I thought that the law, as it at presents exists, required a month's notice, I would think it highly desirable, and if any doubt exists as to the law at present, that doubt ought to be remedied by a clause in the Bill.

775. And you think that in many cases it would remove injustice?—Yes, it would be a great help towards it.

776. And without injuring any class?—Yes, I may point out that the words of the Union Officers' Act are, that the officer "shall upon his resigning, or otherwise ceasing to hold office, be entitled to an allowance;" but there is nothing in the Act obliging them to resign until the moment when the compensation question comes to be considered. From my point of view as to the law of this matter, it is quite open to a medical officer to write and say that he desires to resign, and wishes to be superannuated, and that a month's notice shall be given to the board, and that he need not hand in his resignation until the moment that they are going to consider it; but at present the rule of giving a month's notice to the board of guardians has been used to oblige a medical officer to

give a month's notice of resignation, and 30 days elapsing between the resignation and his compensation nobody knows what happens.

777. You think that the Local Government Board have erroneously strained the law to the disadvantage of the medical officer?—I do not lay the blame upon the Local Government Board.

778. Upon whom do you lay the blame?—The fault is in the misconception of the rule, which obliges a month's notice to be given to the guardians.

779. Have you applied to the Local Government Board to correct that misapprehension of the month's notice?—No.

780. Would it in your opinion be desirable?—Yes, I think so. I think if there is a misapprehension, it should be open to the Local Government Board to remove it.

781. But you have never made application to them to remove it?—No.

782. Though it is a glaring injustice?—Yes.

783. You have had great experience of the Local Government Board; have you ever had any cause to complain of the arbitrary power of dismissing, vested in the Local Government Board?—Yes.

784. When?—I complained very strongly of the action of the Local Government Board in dismissing Dr. Kenny from his position.

785. Was it a professional dismissal?—No, it was a dismissal for other reasons.

786. Was it not a dismissal openly and avowedly for political reasons?—It certainly had the appearance of it.

787. Have you ever known as gross a case of injustice perpetrated by any board of guardians as was perpetrated upon a member of your profession by the Local Government Board?—I think it was a very great injustice.

788. A gross case?—Yes, I think it was a gross case.

789. I am glad you give that opinion. I find that in the letter referred to by the honourable Member for Wexford, my name crops up. This letter was written by Dr. Chapman; it is not a private letter; it is an official letter, as official as in the circumstances it could be, to our Chief Secretary for Ireland on behalf of the Irish Medical Association?—Yes.

790. It is headed "Irish Medical Association, Royal College of Surgeons, Dublin, 27th April 1882"?—Yes.

791. "To the Right honourable W. E. Forster, M.P., Chief Secretary.—Sir, By direction of the Council of the Irish Medical Association, I have the honour to address you relative to the 'Union Officers' Superannuation (Ireland) Bill' now before the House of Commons. The Council desire respectfully to remind you that on the 23rd of January last you honoured them by receiving their influentially supported deputation, who submitted to you a memorial, a draft Bill, and an oral statement by Dr. Jacob; when you were pleased to inform the deputation that the present system of superannuation of poor law officers had occupied the attention of the Government, and was admitted to be unsatisfactory, that you yourself had carefully considered the question, and had come to the conclusion that the circumstances of the case rendered it necessary that the subject should be dealt with by the Government instead of its being brought forward in a Bill to be introduced by a private Member. Mr. Meldon, M.P., interposing, remarked that the draft Bill then submitted had been drawn up as a private measure in consequence of your" (Mr. Forster) "having on a previous occasion suggested that course, to which you replied, that your views had since undergone a change in that respect, and that you considered it necessary that the question should be dealt with by the Government. You then stated that it was your intention, with the assistance of Mr. Herbert Gladstone, M.P., to prepare and introduce a Bill to regulate the retiring allowances of all union officers, which should propose: (1.) To transfer to the Local Government Board the powers now vested in boards of guardians. (2.) That the pensions and gratuities to be awarded under it shall be paid under a general rate to be levied upon the whole of Ireland. And (3.) That the scale and regulations to be proposed in the Bill should be the same as those contained in the Act which deals with the pensions of Civil servants." Then you say, "Since the introduction of the Bill the Council have learned, with feelings of intense disappointment, from the

the reply of Mr. Herbert Gladstone to a question put to him in the House of Commons by Mr. Callan, that the Government were prepared to modify the Bill and allow the board of guardians to retain the discretionary power of fixing the amounts of pensions, subject to an appeal to the Local Government Board. Against such a change in the most important and essential principle of the Bill the Council respectfully protest." Then it gives the reasons. You were aware then of the political nature of the board, and you then make this charge against the board of guardians; I suppose you made it knowing that it would act as a sort of *placato* to Mr. Forster to induce him to consider your views in a more favourable manner?—Certainly not; there is no such intention.

792. Your objection to the letter was that you did not consider it judicious?—More than that.

793. Do not you now think that it was a highly imprudent letter?—I think the phraseology of that portion referred to by the honourable Member for Wexford was certainly imprudent.

794. Do you think it is respectful to the Chief Secretary of Ireland, when applying on mere technical grounds for a change in the Superannuation Bill to indulge in a political philippic?—It does not strike me as being a question of disrespect to the Chief Secretary, nor would the words have been used if it had been understood that it would be.

795. Do you think it disrespectful to the boards of guardians?—It is certainly not complimentary to the boards of guardians.

796. Notwithstanding that you have never known of as gross a case of injustice perpetrated upon a medical officer by a board of guardians as was perpetrated in the case of Dr. Kenny by the Local Government Board, you are yet in favour of giving discretion to the Local Government Board and refusing it to the poor law guardians?—I did not say that I had never known as gross a case; I said it was a gross case.

797. Have you ever heard of so gross a case?—Yes, I have heard of them.

798. Will you give me an instance?—I know a case of a man who has been called upon to resign by a board of guardians within the last three weeks after a long period of service, during which his efficiency had not been challenged in any way, simply because he got into a squabble with a nurse, and had an abusing match with her.

799. Mr. Healy.] Was that the case of Dr. O'Reilly?—Yes.

800. Do you allege that he was hardly dealt with on the part of the board of guardians?—Yes; I say that the board of guardians ought not to have called on him to resign, and ought not to have been allowed to insist on his resignation.

801. Does not your remark imply a reflection upon the Local Government Board?—It does imply, and I intend it to imply, a reflection upon them, as not having prevented the board of guardians from doing that injustice.

802. You give an expression of that opinion *ex parte* before this Committee when you know it involves an allegation that the Local Government Board have assented to an injustice?—In this particular case it was an injustice, and the Local Government Board did assent to it, and having already expressed the opinion that this gentleman was hardly dealt with, the Local Government Board ought to have refused to allow the board of guardians to do that injustice.

803. Mr. Biggar.] Did the board of guardians dismiss the officer?—They called upon him to resign, they did not dismiss him; they have no power to dismiss at all, and I have reason to know that it was practically dismissal, because the gentleman would not have resigned, only he was compelled.

804. Mr. Healy.] Though he was dismissed by the board of guardians, did not he retain his office in the dispensary?—Yes.

805. He was not dismissed entirely?—He was dismissed from one office.

806. Therefore the board of guardians did not dismiss him altogether?—The guardians called upon him to resign the workhouse.

807. They still allowed him to continue in the dispensary?—Yes, the question of the dispensary did not arise at all.

808. Mr. Collins.] Then in point of fact the board of guardians did not dismiss him?—They had no power to dismiss him, they called upon him to resign.

809. They did not call upon the Local Government Board to dismiss him?—They did not call upon the Local Government Board to dismiss him; his resignation relieved them from such necessity, they did not have occasion to call upon the Local Government Board.

810. Is it customary in all cases in Ireland, except in very gross cases of immoral conduct, to call upon the medical officer to resign, and not to dismiss him?—It is usual and customary.

811. Have you ever known a case in Ireland, except in an abominable case of immorality, in which the Local Government Board dismissed a medical officer without first giving him the option of resigning?—No; I have never known a case in which a sealed order for dismissal has been issued except for what you describe.

812. As being grossly immoral?—Yes.

813. Then the Local Government Board of Ireland in dismissing Dr. Kenny under a sealed order, without giving him the option of resigning, have done an act which has never been done with reference to any other medical officers in Ireland, as far as you know?—As far as I know.

814. And it is that Board that you ask us to entrust these powers to?—No.

815. You say in this letter "The Council have no reason to doubt that the Local Government Board would properly and impartially do justice to all interests it endowed with sole powers concerning the superannuation allowances of union officers, but they positively assert that a control divided between the board of guardians and the Local Government Board could not possibly work satisfactorily, and afford justice to the claims of retiring officers, because officers who by reason of infirmity were constrained to resign, would not be enabled of putting forward their claims to the best advantage, and an appeal would at best result in a compromise, and but seldom in an award of the maximum; for board of guardians, judging by past experience, would usually vote but an insignificant amount, which the Local Government Board could neither approve, nor yet increase to the maximum. Under existing law the superannuation allowances of each union officer, who was fortunate enough to be awarded any, is payable out of the rates of the union in which he served, and under such circumstances it was reasonable that the board of guardians of the union should have had a voice in the disbursement of its rates, but Government admits that after 17 years' trial that system has been found not to work satisfactorily"?—Yes. Speaking generally, I desire it to be understood that we have confidence in the administration of the Local Government Board, we take great exception to individual cases, and especially the exception in the case of Dr. Kenny, but speaking generally, we have belief in their discretion and desire to do what is right, and we are willing to accept the discretion of the Local Government Board.

816. Having had of three permanent officials one a friend in court?—The Medical Commissioner of the Local Government Board so far from being a friend in court of the Irish Medical Association, it is the fact, has had no communication whatsoever with us except the most distant official communications.

817. But he has his professional feeling?—I think so; and I am very glad to believe that it is strong in his mind.

818. Mr. *Justice McCarthy*.] You are aware of the unpopularity of the medical officers?—Yes.

819. What in your opinion are the causes generally of their unpopularity?—A man may be brusque in his manner and zealous in the discharge of his duty, and thereby make himself unpleasant to the guardians; or he may perhaps not hold the same political or religious views which they hold strongly; all those things would cause unpopularity.

820. Would the religious views of the medical officer influence the board of guardians much?—Yes, there are many districts in Ireland where a person of one religious view would not have the slightest chance of being appointed to the office, no matter what his qualification as a medical man may be.

821. Being appointed, would it influence the board of guardians much in
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[Continued.]

the question of his superannuation supposing that he had done his duty properly?—Yes, I think it does influence them largely in that question.

822. In Dr. Chapman's letter he refers to a number of men having Land League opinions upon boards of guardians; has that been increasing of late?—Yes, it has been considerably increasing.

823. In point of fact, a certain objection to these Land League opinions does influence the minds of the promoters of this Bill?—No.

824. I mean the original promoters of it?—The Irish Medical Association have no political opinions whatever, and strenuously and studiously avoids having them, or expressing them in any way.

825. Then does this letter of Dr. Chapman's express the views of the Association that Land League opinions amongst guardians are on the increase, or is it put forward as an expression of the views of the medical profession?—I think that that phrase was a very unhappy mode of expressing the fact, that the medical officers being dependent upon boards of guardians would necessarily conform to a certain extent to the views of the board of guardians, and would necessarily hold those opinions.

826. Medical men, we know, are not generally strong politicians, but it is the fact that some medical officers have themselves been members of what was the Land League?—Yes, it is the fact.

827. If the Local Government Board had supreme control do not you think these men would be very unpopular with the Local Government Board?—I have never known the Local Government Board to be animated by political reasons in refusing or granting anything to medical men, except in the case of Dr. Kenny; but as to increasing a man's superannuation or decreasing it, or altering his salary, I have never known nor have I any reason to believe, that political considerations have entered upon the question at all.

828. Do not you think that that very appeal of Dr. Chapman's upon the ground of the increase of these opinions shows that he thought these opinions would be unpopular with the Local Government Board?—It goes without saying that they are unpopular; but I do not think that he intended to convey that.

829. Still the term "unpopularity" has two applications; if it applies in one way with regard to the guardians it would apply the other way with regard to the Local Government Board; is not that so?—Yes, but this referred to the power of the Local Government Board as a sanctioning power, and is therefore unimportant in comparison with the originating power of the board of guardians.

830. Supposing that they had a supreme power, what would you say?—We would be willing to trust ourselves to the Local Government Board.

831. Still this does appear that an element of unpopularity would exist on the one side as well as upon the other, only in the board of guardians assuming you are correct, one set of opinions would be unpopular, and in the Local Government Board another set of opinions would be unpopular, but there would be the external influence in the one case and not in the other case; is not that so?—I do not admit that it would have any such effect upon the Local Government Board; I have no ground for the admission; I have watched the cases very strictly that have come before the Local Government Board, with a view of seeing that justice was done, and, speaking generally, I have never seen any bias arising from those causes.

832. We had one remarkable case against the Local Government Board, and no such remarkable case against boards of guardians?—I admit that case and deplore it, because I think it was wrong.

833. Mr. Daly.] You told the Committee you were a member of the Medical Association?—Yes.

834. How long has the attention of the Medical Association been directed to this question approximately?—A few years after 1869, when the last Act was passed.

835. Then in effect we will say from 10 to 18 years?—Yes.

836. And you here represent the views of the Irish Medical Association upon this question?—Yes.

837. You stated that one of the reasons why you sought a change in the law is, that the present system results in injury to the public servants?—Yes.

838. And you adduce, as a reason why the Committee should adopt your
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view, some instances, and those instances are presumably a number of doctors who hold on, to the prejudice of the public service?—Yes.

839. You have enumerated 71 doctors whose age averaged over 66?—Yes.

840. And you arrive at that age of 66 on the basis of their being 21 years of age when they entered the service?—No, when they obtained their medical qualification, not entered the Poor Law service.

841. That is to say, you assume that they got their medical diploma when they were 21?—Yes.

842. You assume that they were 66 years of age on the basis that they were 21 when they got their medical diploma?—Yes; they might be more than 21, but they cannot be less.

843. As a matter of fact, for a gentleman of your experience, do you consider the basis of 21 a reliable basis?—No.

844. What would be a reliable basis?—I should say 24.

845. Would one be wrong in saying that a fairly reliable basis would be from 28 to 30?—Not for obtaining their qualification. It would be correct to say that they did not enter the poor law service till they were from 28 to 30; but it would be incorrect to say that they did not obtain their qualification till they were from 28 to 30.

846. For a gentleman going through a course of study, and taking the exigencies of life, what would be a reliable age to take at which he would get his medical diploma?—Twenty-four.

847. Or 25?—Not as late as 25; young men commence their studies generally at 18, and that gives them three, four, or five years to qualify.

848. Assuming it to be 25 it would reduce the average age of the 71 gentlemen to 62 years of age?—It would take three years or something like that off.

849. It would bring the average age of these gentlemen to 62 years of age?—No, it would increase their age, not decrease it; because if instead of taking their qualification at 21 they took it at 24, they would be four years older men in the service.

850. What other means have you of arriving at the basis, except the length of time they were in medical situations, or by their particular diplomas?—Young men are not allowed to enter the poor law medical service under 23 years of age, and those who were 23 years of age in the year 1839 would now be over the statutory retirement age.

851. What I want to arrive at is this: you stated that there are 71 doctors whose average age is 66 years?—Yes.

852. Will you tell the Committee plainly how you arrive at that; what process did you take to arrive at it?—Any man who was 23 years of age in the year 1839 would be over 66 now.

853. But as a matter of fact, were all the 71 men officers of that age, by the date of their diploma; were they of such respective ages as that their average would be 66 years?—Yes. I have taken men who have got their qualification in 1839; they must have been 23 years of age or thereabouts at that time; therefore they would now necessarily be 66; if you take 39 from 82 it would make up the time.

854. Did you personally investigate each one of the 71 cases?—Yes; I did personally investigate them; I took the cases of the poor law medical officers, and I followed them in the Medical Directory, and found out at what time they qualified, and every man who had his qualification in 1839 I took to be of the statutory retirement age according to that calculation.

855. You make out of the total practitioners in harness there were 71 persons who have not retired, and whom you assume would retire if they were satisfied that they would get superannuation?—Yes; who have arrived at the statutory age.

856. That is in effect of the number of men 7 per cent.?—Yes.

857. From your experience in Dublin, in London, in Paris, in Vienna, and in all the great centres where medical skill is exercised and where there are the leading physicians, and the men entrusted with the most important medical duties, would 7 per cent. of them be an unreasonable per-centage of those actually in the very best practice, the men to whom the public look with most confidence,

confidence, and whom they consult on account of their medical skill, would 7 per cent. be an unreasonable per-centage of those gentlemen who occupy the position of the first physicians and medical men in the world?—No, I think not.

858. Then, in effect, the medical men outside workhouses and poorhouses would be in exactly the same ratio, as regards age, as they would be inside the workhouse and in dispensaries?—Yes; but they have very different duties.

859. Now I want to go a little further, because it would be interesting to know this: would the per-centage of the first-class physicians in all these great cities be larger than 7 per cent.?—“First-class physicians” is so large a term that I could not answer that question.

860. Take men, for example, like yourself, in Dublin, who have an equal name for professional skill, take them through London, Paris, Vienna, and so on, a thousand of the first class men if they were all met in a medical convulse, summoned peremptorily, would you be prepared to grant that of men in excess of 60 years of age, there would be more than 7 per cent.?—I think there would be.

861. I want to refer you to instances where superannuation was not granted, which might be remedied, under this Bill; you adduced 10 cases?—Yes.

862. In preparing the evidence for this Committee, with an association so powerful as your own, and with such a period of investigation as 10 different years, you have made presumably the best case that can be made for your side?—We have had the grievances arising from the Act for from 10 to 13 years, as you say, but no agitation or move towards obtaining the Bill now before the Committee was made till about three years ago.

863. But you have had your attention called to this state of facts for a period of from 10 to 13 years, and the persons aggrieved had full cognisance that you were collecting details, and did in effect supply you with the results of the most remarkable cases?—The data was collected within nine months.

864. I thought you said your attention had been called to this question for a period of from 10 to 13 years?—Yes; but we did not collect the data until this Bill was pressing.

865. You have adduced figures (and I may compliment you on your evidence, because you have given very valuable evidence) to show the inconsistencies of the present system?—Yes.

866. You adduced instances of 12 medical gentlemen who retired at 44 years of age, with an average length of service of 12 years?—Yes.

867. And with a view of showing the inconsistencies under the present system, you contrasted that state of facts with 12 gentlemen who, having attained the age of 62 years, and having an average length of service of 32 years, were refused superannuation?—Yes.

868. Are you aware within your own knowledge or from reliable information received, whether there were any special circumstances connected with the 12 gentlemen who retired at 44 years of age, with an average length of service of 12 years?—I know the names of them all; but I do not know that there were any special circumstances.

869. But you are not prepared to tell the Committee that there were not special circumstances?—No; nor do I in the least infer that these gentlemen having retired at this age were undeservedly retired, because their condition of health may have been such as to render them deserving of retirement; but I merely wish to point out that the law acted unequally in this way.

870. My point is this, and I will explain it to you, that the contrast cannot be a perfect contrast, unless the circumstances are equal?—Yes, and I do not know the circumstances.

871. Then if the circumstances were not equal, it impairs the value of the contrast that you have drawn?—Quite so; in the absence of the circumstances it does.

872. You stated as regards a reason for the change in the law, that a doctor may not be personally popular with the board of guardians from whom he seeks superannuation?—Yes.

873. And you said you thought that that might arise from conscientious performance of his duties?—Yes.

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[Continued.]

874. And you thought that in the conscientious performance of his duties, due supervision and ordering of sanitary works might be one of the reasons?—Yes.

875. From your experience, do not you think that, as regards the unpopularity occasioned by undue zeal in promoting sanitary works, the unpopularity with the board would be generally with the *ex officio* members, and the unpopularity would be, because they are generally representatives of property upon the board?—I should not say that they were the representatives of such property as would come within the cognizance of the sanitary officer, because the offences are usually the keeping of pigs in improper places, and nuisance from manure heaps, and such things of which the *ex officio* guardians no doubt have their share, but it does not necessarily fall upon the higher classes of property.

876. Take the case of an ordinary village. I am speaking of rural boards; is not property usually held there, through which drains have to be made, which would be necessary for the preservation of health; is it not usual that they are held by gentlemen who are returned to the board as *ex officio* by the justices of the peace of the neighbourhood and persons of that class?—I should think it was, but my information upon those points is very unreliable.

877. In villages in the neighbourhood of towns where *ex officio* members are returned, is not one of the most frequent occasions where a doctor in the exercise of his sanitary duties comes into conflict with any one, a case where he insists upon sanitary precautions being taken for cottages, which are generally the property of landowners or of millowners in the neighbourhood?—I am not able to express any opinion upon the question of whose property it may be; my knowledge of that sort of thing is entirely unreliable, and I should not like to express an opinion upon it.

878. Then in effect, of course, no assertion that you make before this Committee is of very great value, but I am sure you will not think that I am speaking disrespectfully when I say, that in the absence of the knowledge which you have just admitted, as far as that knowledge is absent, it vitiates that part of your evidence?—But I have stated in my evidence upon that, that the medical officers in the discharge of their sanitary duties were liable to make enemies of the board of guardians, and that the more assiduous and zealous they were in the discharge of that duty, the more enemies they make; and that their loss of popularity under these circumstances militated against them, and was liable to militate against them in their getting superannuation, but as to whether the enemies are of one class or another, I can express no opinion, because I have no personal knowledge of how the property is distributed in the various dispensary districts in the way you speak of.

879. Do not you know that as regards the constitution of rural boards of guardians, and as regards the majority of the farmers who are going there as elected guardians, who live upon their farms, they are not so liable to come into collision with the doctor as men possessing groups of houses?—No, because there are a great number of sanitary conditions in farms and in the neighbourhood of farm houses requiring the attention of the medical officer; the presence of manure heaps in improper places, and the want of drainage from closets, and such things, come into consideration in connection with farmers' establishments, and therefore require the attention of the sanitary officer.

880. Do not you know, as a matter of sanitary practice, that a man is not bound to connect his house with the main drain unless it is within 100 yards of his house?—Yes, I know that.

881. Do you not think that, in the presence of that sanitary law, it is more likely that the owner of house property would come into conflict with the sanitary officer than a man living on an isolated farm?—I cannot express an opinion upon the subject.

882. As regards the unpopularity of the board, what is the proportion of elected guardians to *ex officio*?—I do not know that either.

883. Now we come to the abuse of the red tickets, which was elicited from you by the Right honourable Member for Dublin University: you stated that there was an abuse of the red tickets, and that the abuse was more by the guardians and dispensary members than by the relieving officers?—Yes.

884. And you stated further instances within your own knowledge of shopkeepers

keepers who granted red tickets to their customers?—Yes, dispensary tickets; there are two kinds; they might be red or they might be black.

885. The red is urgent?—The red is for the doctor to visit the patient, and the black is for the patient to come to the doctor.

886. Whether black or red, you stated that, within your own experience, it was perhaps not the general practice, but the practice of shopkeepers to grant those to their customers?—Yes.

887. What remedy does the Poor Law provide for an abuse of that kind?—In the first place it is my contention that, upon the strict matter of law, the medical officer need not attend unless the whole body of the ticket, including the name of the person, is filled in in the handwriting of the grantor, that is, the person entitled to grant the ticket; therefore the system at present existing of filling up tickets *en bloc*, and allowing subordinate persons, like an assistant in the shop or the daughter of the house to issue the tickets, is illegal. That is number one means of checking the thing which no medical officer avails himself of, because the danger of refusing to attend such a case for such a reason might be so serious that he might get himself into trouble. As to the other remedies for the system, the only remedy that he has is to apply to his dispensary committee to cancel that ticket. The dispensary committee meet not, perhaps, for three months, and therefore the case would have been cured or got rid of, possibly dead, long before the three months came round, and there is no use in the doctor availing himself of his legal privilege in proceeding to cancel the ticket; so that, as a matter of fact, there is no remedy in these cases; the medical man attends the case himself, and he has no escape from it.

888. Has it occurred to a gentleman of your experience that there is this very easy remedy; what would there be to hinder a doctor finding out an abuse and speaking to either an *ex officio* guardian, or an independent elected guardian who did not practise this system, or calling attention by a special resolution of either the dispensary committee or the board of guardians to the fact, and making a rule that unless the ticket was properly formulated, the dispensary physician need not attend?—Such a rule already exists, but it is not acted upon because the medical officer dare not avail himself of the law to refuse to attend the case.

889. Is it a rule of the Poor Law, or a special resolution of individual boards?—The Local Government Board has made that order, and it is printed upon the back of the ticket that the ticket must be filled up in the handwriting of the grantor; therefore filling up the signature only, and leaving another person to fill in the name of the person, is an illegality; nevertheless the medical man dare not decline to attend upon those grounds, it would be attended with too much danger. He might escape dismissal on the ground of its being illegal, but he would not escape censure for having refused to attend.

890. You instance as another of the arguments why there should be a change in this law, that from 1869 to 1880 (quoting from the Paper which you handed in), there had been 189 applications?—Yes.

891. And of those 12 had been refused?—Yes.

892. And you said also that not only had the 12 been refused, but that the 177 had been granted?—Yes.

893. I am sure you are too good a mental calculator not to recognise that 12 officials out of 189 is under 8 per cent.?—Yes.

894. Then one of the reasons why you advocate the change of this law is, that under 8 per cent. of the applications for superannuation had been refused?—Yes.

895. And you do not know of your own knowledge or from information that you have ever received, of the special circumstances attendant upon those twelve cases which represent under 8 per cent.?—The special circumstances are set forth in Mr. Meldons's Return.

896. Then I assume that of those 12 cases, the six cases which you gave us to-day of the gentlemen who had attained the ages respectively of from 60 to 76, and services respectively of from 26 to 42 years, on account of your giving prominence to those, they form a portion of the 12 cases?—Yes.

897. That is to say, that these 12 cases referred to absorb the six particular cases which you gave?—Yes.

898. You stated also your reading of the law, and I have no doubt your reading of the law is correct, because I am sure, from your experience and from the evident care you have given to the matter before this Committee, you would not advance anything of which you were not certain; but you say, as to the practice of a medical man resigning before he can claim superannuation, that that is not usually so; that the dispensary doctor is at liberty to inform the board of guardians or the dispensary committee of his desire to resign, and he need not so resign until he makes his ground sure?—Under the Act of Parliament I believe that that is so. I know of one case in which the medical officer did not resign, but simply notified his intention to resign, and the board of guardians nevertheless did consider his pension, and did grant him a pension on the day that he retired, and therefore there can be nothing illegal in the practice of a medical officer withholding his resignation up to the day when his case is considered.

899. Do not understand me as assuming that there is any illegality, but I am glad to get your information upon the subject, and the information is new to me, and I accept it as accurate; as regards the other reasons that you give for this Bill, one was that concurrently with the position held by the dispensary doctor he has private practice more or less?—Yes.

900. Experience has shown that in towns or aggregations of communities as a man's private practice grows and becomes of larger importance, he surrenders the dispensary?—Yes.

901. And you give it as one of the advantages of this Bill that, if a man had a limited private practice, and under the established state of things he had given in his resignation, and his resignation had been accepted without a pension, that then there was the danger of a rival practitioner coming in?—Yes.

902. Does it always occur that a rival practitioner comes in?—Not with the advantage of an official position behind his back; if A., being a practitioner in a district, deserts his offices and leaves it open to B., B. would set up against him as a rival practitioner under exceptionally favourable circumstances; therefore my contention is that there is no danger of abuse of the Act, inasmuch as A. will not leave his official position until the very last moment that he is obliged to do so.

903. I do not like to ask you any question that may injure the *esprit de corps* of your profession, or hurt your feelings in any way, but it is true, as a matter of fact, that a great many dispensary physicians in Ireland hold on to their situations pledged to the performance of certain duties, conscious that they are incompetent and unable to perform them, simply on account of the question of superannuation?—Yes, certainly, it is the fact.

904. You stated that one of the reasons why the dispensary doctor, or resident medical doctor of the union, was not likely to have his claim for superannuation fairly considered was, that there might exist between him and the majority of the board political and religious differences?—Yes.

905. And you also stated that it might arise from his hesitancy of manner?—Yes.

906. Will you give me leave to ask you, is not a doctor always, in the first instance, elected either by the members of the board for the position of resident medical officer, or by the members of the dispensary committee for the dispensaries themselves?—Yes, always.

907. Therefore, as elected originally, there were no political or religious difficulties; if he was a favourite of the electors, presumably he would have neither political nor religious difficulties with the members of the board?—At the time he was elected 30 years ago, he was presumably of the same colour as his elective board.

908. Then it follows that to establish your ground for there being political and religious difficulties, either the board must have changed its constitution, or the doctor must have changed his political and religious opinions?—Not strictly speaking, because you must recollect that the question of superannuation of a medical officer comes before the board of guardians, whereas his election comes before the dispensary committee, which may be of an entirely different political and religious line. A man of their religion and politics may be elected by the dispensary

pensary committee; but when he comes for his pension he has to go before a different tribunal.

909. In that answer you assume that the dispensary committee is not a reflex of the board?—There may be such instances.

910. It is only "may;" you do not insist upon it?—No; the probabilities may be the other way.

911. The average salary of a doctor, that is to say, his salary alone, I understand you to say, amounts to 102 *l.* per annum?—Yes, roughly speaking.

912. You were asked by the honourable Member for Wexford whether the emoluments received from a number of offices under the Public Health Act, the registration of births, deaths, and marriages, add an average increment of 30 *l.* a year?—Yes.

913. Then, in effect, the average income of those gentlemen who come to have their cases considered by the Committee is 130 *l.* per annum?—Yes.

914. And that 130 *l.* per annum is quite independent of means which may accrue to them from their private practice?—Yes; but the average in these sort of matters is entirely deceptive, and the persons who would be getting that pension would be likely to be men whose incomes had been excessively small from private practice, and therefore the average ought not to be made to apply to them; but if you ask me what the average is it is what I stated.

915. Is there any instance within your own knowledge of dispensary doctors receiving superannuation, they themselves being in the receipt of an income from means acquired in the practice of their profession?—Yes.

916. Then as regards the refusal by the board of guardians to fairly consider the claims of the doctors, that is modified by the fact that they have given superannuation allowances to men whom they knew were in the receipt of incomes independent of the superannuation allowance?—Certainly.

917. Does that prevail to a fairly large extent?—Yes, it does; a good number of the persons who have been superannuated are persons who have more or less private practice.

918. There is this important distinction between the doctors and some other persons employed by the Poor Law Board, that the doctors have not given their whole time, except the resident officers in unions, and a great many other servants of the Poor Law Board have devoted their whole time?—Doctors are obliged to place the whole of their time at the disposal of the guardians; no portion of their time of the whole 24 hours is free to themselves; every minute they are liable to be called upon, and they must, to the exclusion of every other sort of business, attend to their union duties; but, on the other hand, they are not whole time officers in the sense that they may engage in private practice.

919. And, in point of fact, very many of them enjoy large means from private practice concurrently with their holding the office of dispensary doctors?—Yes, they could not live upon the salary they get.

920. Mr. Biggar.] Are not the dispensary committee nominated by the guardians?—No.

921. How are the dispensary committees created?—I could not say that.

922. I believe, strictly speaking, every guardian is a member of the dispensary committee?—For the district in which they live.

923. They are elected by the guardians, are they not?—I cannot say that.

924. Notwithstanding the amount of emoluments, do the doctors sometimes prosecute people for neglecting to vaccinate and to register births and deaths, and do they not also get a fee out of the rates for appearing as witnesses?—Yes, they get a fee. I have already mentioned that, but it is so infrequent that it makes no difference; it is a source of a very infinitesimal income.

925. Sir Patrick O'Brien.] How much would it be?—Not more than 2 *l.* or 3 *l.* in the year.

926. Captain Aylmer.] Do you think that, as a general rule, medical officers who have a qualifying service for superannuation will retire when they arrive at 60 years of age?—I certainly do not think so.

927. You think that they would continue on, having a practice in the place?—A great number will continue on as long as they can possibly get along sooner than introduce another practitioner into the district.

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Dr. JACON.

[Continued.]

928. If this Bill passes, is it not possible that hoards of guardians may, if pressure is put upon them by aspirants to the post, make them take their superannuation as soon as they arrive at 60 years of age?—Generally speaking, a medical officer is sufficiently well lodged in the place to prevent aspirants ousting him in that way; I would not apprehend that.

Mn. HENRY ROBINSON, re-called; and farther Examined.

929. *Chairman.*] You wish to correct a portion of your evidence, I believe?—I wish to correct an expression which I made use of yesterday in answer to the honourable Member for Wexford. It is upon the subject of the rate to be made under this Bill. It is at page 23, Question 288. I was asked whether I thought there would be any objection to the rate under this Bill being limited to one farthing in the pound, and I said I thought there would be no objection to its being limited to a farthing for the year; what I should have said was, that I see no objection to the rate for the new pensions to be granted each year being limited to a farthing in the pound. I do not think we could limit the rate to a farthing in the pound to provide for the pensions of one year, and the pensions granted in previous years; that is the accumulated rate. The present amount as paid last year for all pensions remaining payable in respect of those granted since the Act passed is 14,987 *l.*, which is a farthing in the pound, therefore I think we would not strike in any year a higher rate than that, and I do not think for many years it will come up to that, or anything like it. I do not think the rate for expenditure will exceed the expenditure under the present Bill.

930. *Mr. Callan.*] You would not be in favour of applying any limit?—I have no objection to saying that new pensions granted in each year shall not exceed a sum equal to a farthing in the pound.

931. With reference to the Questions 156 and 157, you were asked, "With reference to the 9th clause of the Bill, the last line but one on page 4, which speaks of every person appointed or constituted as sanitary officer under the 11th section of the Public Health (Ireland) Act, 1878," is there a more efficient body of men than the officers appointed under the Contagious Diseases (Animals) Act, particularly in the Dublin Union, or a more necessary body of officers?—*A.* I have nothing to say to that Act; the administration is not under our board, it is entirely under the Privy Council." Then you were asked, "Is the appointment a poor law appointment," and your answer is, "It is;" and then at Question 469 you said that he was not under you?—Yes.

932. Have you considered that matter since you were here on the former occasion?—I have considered the point; the reason why we do not bring these officers into this Bill is that they are not officers with whom we are in any way concerned, and we have no memorials from them; we have no applications from the board of guardians upon the subject of any compensation, or from the Privy Council under whom these officers act; but I see no reason whatever why these officers should not be added to the Bill if the Committee think it right. They are paid from the poor rates, and they are appointed by the board of guardians, and there is a precedent for it in the case of the registrars of births, marriages, and deaths, who in some cases may not be doing their duties under our board, and if the Committee think it right, I see no objection. It would be entirely in accordance with the principles which I advocate, that every officer paid from the poor rate is entitled to be pensioned.

933. And having been in communication with the Poor Law Guardians or the officers themselves, you believe that both parties were under the impression that these men were embraced?—You told me so, and I quite believe it.

934. *Captain Aylmer.*] Do I understand that in the case of all those who are included in this Bill, applications have been made to your Board from the unions or boards representing them?—Representations have been made on behalf of the officers to our Board, and in drafting the Bill we took in all the officers employed under our supervision.

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Mr. ROBINSON.

[Continued.]

935. Do you consider that the poor rate collectors are under your supervision?—Yes.

936. Upon what ground?—They are appointed by the board of guardians, are under our regulations, perform duties subject to our control, and are liable to be removed by us, and in every other respect they perform their duties under the Poor Law Acts.

937. An officer appointed by the guardians?—Yes.

938. Medical officers are to a great extent permanent in their appointments?—Yes.

939. But the poor rate collector is not permanent, is he?—Yes, he is now; he was not.

940. What made him permanent, an Act of Parliament or an Order of the Local Government Board?—What occurred was this. When the first Poor Law Act was passed the county cess collectors were empowered to claim the office if they wished to take it; that was altered by an Act of Parliament, and the guardians may now appoint any person they like, and from that time poor rate collectors were made permanent by the Act and regulations.

941. They are not paid by salary?—They are paid by poundage.

942. Is the poundage permanent?—The poundage is liable to fluctuation, if the guardians think it necessary to make a change.

943. If a poor rate collector takes an appointment getting 1 s. in the pound for collecting, and next year the guardians say, "We cannot pay you 1 s.; we ought to be able to get it done for 6 d.," and this man says, "I cannot do it for 6 d.," he must retire, and another man take his place?—No, the poundage to be altered must be altered subject to our approval; and if we say at the close of any collection that the guardians are justified in reducing the poundage, it is a question whether a man will resign his office or retain it at the reduced rate of poundage.

944. I cannot see how it can concern the question of permanent salary or appointment, because if they can appoint a man who can get first-rate references from a bank manager or somebody else to guarantee him, and he offers to collect at 9 d. when they are paying 1 s., you would not force the union to pay 3 d. more in the pound, would you?—If the board of guardians wished to reduce the poundage of the collection, and we thought it unfair towards the collector, we should not sanction it. The collector now is a permanent officer.

945. Then they are bound to pay 1 s. in the pound, if that is the sum they pay; if you thought there was no reason for turning him out when they can get the sum collected with equal references and guarantees for 6 d., they are still bound to pay it under the new system?—No, if they show us sufficient ground to reduce the poundage we should sanction it; one rate may be a very small rate, and the next rate may be a very large rate; the board of guardians may come to us and say, "This man receives a certain sum at 1 s. in the pound, but the rate is so high now that 6 d. in the pound will pay him.

946. But supposing the man refuses to do it for 6 d.?—Then he must retire.

947. Then it is no permanency?—It is, because he cannot be turned out except in that way, though he may resign his post.

948. Mr. Healy.] You do not now consider that a farthing in the pound would cover the entire of the pensions?—No, I do not mean that; I think that the amount required for the first year will be very small, probably only one-sixteenth of a penny, or something of that sort; but I say that in its growth from year to year I should not like to limit ourselves to a farthing.

949. What is the value of a life after it is pensioned 15 years?—I cannot answer that question.

950. Take the report that you have issued, which extends from 1865 down to 1880, that is 16 years; would you take the actual value of a life to be 16 years after it is pensioned at 60?—Yes.

951. I find that the report that you have issued that the entire number of officers pensioned off in 16 years is 365?—No, 662; 365 are those remaining receiving pensions last year.

952. Precisely so?—But the whole number pensioned is 662, and the difference between the two figures is accounted for by those who died.

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953. In any one year may I take it at 365, as an average number of persons likely to be on the rates for pensions?—That is what it has grown up to at the end of 16 years, and I do not think it will grow to more under the Bill.

954. These 365 officers get an aggregate superannuation already, to the extent of 13,987 £?—Yes, that is the total amount paid to those who receive anything.

955. Then we will say 14,000 £ in round numbers?—Yes.

956. Of those now, there are 28 cases who have since died?—Yes.

957. Supposing we allow under the present Act that the board of guardians will have to pension 28 more, we will take it then that 14,000 £ will be the sum required for the purpose of the board?—Not the first year.

958. The average?—No, it may grow up to that; it will not be the average; the average of each year is at present rather over 2,000 £.

959. I am referring to some years hence; but I am taking it that the average working amount will be 14,000 £ per annum which you require?—When it reaches that.

960. I am taking the maximum amount?—Perhaps you do not understand that it is only new pensions that will be paid from this rate, the old pensions will remain charged as before.

961. My question is this, what is the maximum amount that you think will have to be provided for in any one year?—The maximum in any one year would be, I should think, under 2,300 £, or 2,400 £.

962. I am taking the whole?—I think that in 14 or 15 years the amount would reach nearly 15,000 £.

963. Do you expect that it will ever pass that amount?—I think after some time it may pass that amount if the charge upon the fund increases, if the new pensions are in excess of the pensions of those who die.

964. Will you give me your estimate of the highest amount that is ever likely to have to be provided?—I cannot do that; I cannot say what will happen after 15 or 16 years.

965. The population of Ireland is decreasing, is it not?—Yes; I do not know whether that will affect the union officers superannuation.

966. More work is not likely to be thrown upon the officers, so that you will not have to increase the salaries, and you will have to diminish the pensions?—I do not think we shall have to increase the salaries.

967. We may assume that the highest amount will be 14,000 £, which is likely to be the maximum amount that you will have to provide for?—Up to 14 or 15 years hence.

968. The Poor Law valuation of Ireland is 13,780,000 £; if the rate is a farthing in the pound, I make it out that it will produce just about sufficient?—Fifteen thousand pounds is a farthing in the pound.

969. Is not my calculation in my question to you borne out?—Yes, but as I said, I do not think the rate to be struck in each year should be limited to a farthing in the pound, though I am not certain that the amount of pensions in each year will require a farthing in the pound.

970. Do you think that a farthing in the pound will produce the maximum amount which you may require in any one year 15 years hence?—I do not know that it will after 15 or 16 years, it may grow up.

971. Taking human probabilities, you must face the situation; you are aware that in all Money Bills there is the greatest jealousy upon the part of this House to giving boards the power of throwing upon the ratepayer more than a certain amount; take the Free Libraries Act, there is a provision in that Act that a town council shall never vote more than a penny in the pound. That Act may since then have been amended, but as originally passed it was so; and I believe it still remains that a penny in the pound is the highest amount that can be thrown on the ratepayers; the jealousy of the House still remains. Would it not be a fair thing to put in this Bill a statement that a farthing in the pound should be the highest amount?—I do not think so; if the Committee think it desirable to limit it they will do so, but the result may be that, if we exceed it, it will require another Bill.

972. May not there be another result, that if the option were left to the guardians as to pensioning off a schoolmaster or a doctor, the whole of whose salary in one case is paid by the Government, and half in the other, that the guardians

guardians may say that the State must pension them as well as pay them, and allow the Treasury to make up the deficiency?—I do not think the Treasury would do that; there is nothing in the Bill to make the Treasury do it. If the fund was short the officers would cease to get their pensions. I can only express my own opinion.

973. Referring to Section 5, I understand you desire to add to your answers to Questions 512 down to Question 522; will you kindly state your present view with regard to that?—You asked me yesterday whether it would be advisable that this clause should be expunged, and I said I did not think that it would be advisable. I understand that this clause was framed upon a clause put into the Prisons Act which passed in the year 1877. What I think now is this, that if the Committee consider it advisable to amend the clause, I should not see any objection to limiting it to persons who fill any office paid out of the poor rates. It would be a great anomaly that an officer pensioned in consequence of ill-health, if he should recover sufficiently to continue in another office of a less arduous kind, should receive both his pension and his pay at the same time.

974. Quite so?—If the Committee think it advisable to alter it, I would not object to it. You pressed me upon that subject yesterday.

975. You are willing to make that change?—Yes, as far as my opinion goes at present.

976. Mr. Collins.] With regard to the last question asked you yesterday about the dismissal of officers in connection with Local Government Board; do the Local Government Board hold meetings daily?—As a departmental arrangement we consult each other.

977. Before you perform an important act you consult each other?—We meet if there is anything of importance to consider.

978. Three of you?—Yes.

979. Are there any instances this year in which any *ex-officio* members of your Board have attended?—They have not attended in our office, but it constantly occurs that matters of great importance are referred to the President to know if he approves.

980. You are Vice President, are you not?—Yes.

981. When any important matter is on, do you consult the Chief Secretary?—Yes.

982. You must remember that this Bill, which we are appointed as a Select Committee to consider, vests in the Local Government Board powers which hitherto have not existed, and it is a matter for us to consider whether that discretion is one which we should give you. In order to enable me to arrive at a conclusion upon that, I want to ask you as to the extraordinary exercise of power upon your part; was it of your own mere motion or on a suggestion from a person, not one of the three regular officials, that Dr. Kenny was dismissed under a sealed order?—There was no suggestion from any person whatever; what occurred was this; on finding what had happened to Dr. Kenny the other two Commissioners and myself met; we considered the subject, and then consulted the President.

983. Who is the President?—He was then Mr. Forster.

984. And he sanctioned your proceeding?—He approved of it.

MR. ROBERT STEWART, called in; and Examined.

985. Chairman.] I BELIEVE you are a guardian of the Belfast Union?—Yes.

986. How long have you been a guardian?—For two or three years.

987. Are you acquainted with the Bill which we have now under consideration?—Yes.

988. Are you in favour of that Bill?—No, I cannot say that I am.

989. Are you opposed to it?—In many of its issues I am opposed to it.

990. Do you think that any change is necessary in the existing system of pensioning poor law officers in Ireland?—I do not.

991. What has been your practice in reference to pensions in your union?—In the Belfast Union there have been no pensions granted for about seven years so far as I know.

992. No pensions at all?—No. One case which was granted about 1876 was rejected by the Local Government Board; the action of the guardians was not confirmed.

993. Why did you cease the practice of giving pensions?—Chiefly on the ground that the officers did not remain sufficiently long with us; but the guardians never resolved to cease granting pensions.

994. Before that time, were pensions granted regularly to union officers in the Belfast Union?—They were very rare then. I have only a recollection of one case of a man called Wilson, a rate collector.

995. Therefore a union officer in the Belfast Union could have had no reasonable expectation that he would be sure of receiving a pension when he retired?—He could not by any means be sure.

996. That may have accounted, in your opinion, for the fact that they did not stay long in that union?—Yes.

997. Can you account for it in any other way?—The resident officials, the chief officials, were not sufficiently well conducted throughout to entitle them to pensions.

998. Were those to whom you refer appointed at an early age?—Yes, some of them.

999. Was not it possible for the board of guardians to make sure when they engaged their officers that they were efficient men?—That is sometimes largely the result of chance or accident.

1000. I understand you to say that at present you do not take the granting of any pension into consideration?—I do not, especially in the case of dispensary and medical officers; I am entirely opposed to it.

1001. During the last three years, do you find that your officers have held on for longer periods in the employment of your union?—I do, but I do not think it arises out of any particular hope with regard to pensions.

1002. On the other hand, should you say that the knowledge that they will not receive pensions induces them to retire at an earlier age than they would retire if they thought they were going to receive pensions?—I have never known of any resignations connected with the question of pensions; in fact, the chief cause of their leaving our employment at all was generally dismissal, or compulsory resignation.

1003. Are there any old officers in your union?—The oldest officer has been eight years in our employment at present.

1004. What is his age?—I suppose about 53.

1005. Is he the oldest officer in your union?—Yes, the oldest male officer.

1006. What is he?—He is an assistant clerk in the master's office.

1007. He has been in the service of the union for eight years?—He has.

1008. And he has served longer in the Belfast Union than any other officer at present in the service of the union?—Yes, at present he has served longer than any other male officer, with one exception, a man named Johnston; there are some female officers who have been longer in the service.

1009. Eight years is the longest period in which any male officer in your union has served?—Yes.

1010. Mr. *Bigger*.] You refer to intern officers?—I refer to intern officers; some of the medical officers have been much longer with us.

1011. *Chairman*.] Have any officers in your union resigned from infirmity?—There has not been one that I am aware of.

1012. In regard to the Bill before the Committee, do you think it is advisable that in some unions boards of guardians should go on the principle of granting no pensions, and that in other unions they should go upon the principle of granting pensions to all, and that in many unions they should go upon no definite principle in giving pensions?—I think that the law as it stands is sufficiently good to meet the whole case; that is to say, that if persons really merit pensions, then let the guardians fix the sum that should be granted.

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1013. By your own showing you say that some change in the existing system is necessary for this reason, that your union declined to grant any pensions at all?—No, I did not say that.

1014. They have not granted any?—They have granted pensions on two occasions.

1015. In the last seven years they have not granted a pension, as I understand you?—They granted a pension seven years ago, or recommended it, but it was unconfirmed by the Local Government Board.

1016. I understand you to say that you have made it a practice not to grant pensions from that time?—They never were asked; so far as I am aware, no application has come before the Board for seven years.

1017. Did they let the officers know when they took service in your union that pensions were not granted?—They never held out any such inducement or hope; I think the officers were sufficiently well acquainted with the fact.

1018. Your opinion then, as I follow you, is not against giving pensions *in toto*?—I think that the law as it stands is fair enough; that is if the guardians consider the relative merits of the applicant as the case comes before them, it might be a fair enough thing. I believe the guardians should have free control in the matter of granting pensions.

1019. I understand you to say, that the guardians generally in poor law unions have done their duty in reference to giving pensions?—I think they have.

1020. Have not any cases come to your knowledge of officers resigning their positions a long time after they became incompetent by reason of infirmity, previous to which they were not in a position to resign, as they had no expectation of receiving a pension if they did?—I have no official or personal knowledge of that fact, because there are none of the officers in the workhouse over whom I have control, who are sufficiently long in the service to entitle them to any pension.

1021. Your experience lies almost entirely in Belfast?—Entirely, which is the largest union in Ireland.

1022. In reference to this Bill, do you imagine from your experience that the guardians generally in Ireland are opposed to it?—I think it is a question that they have not taken much interest in, one way or the other; in fact I have never heard the question discussed much; I think the only persons feeling any interest in it are the officials themselves.

1023. Has the Belfast Union petitioned against the Bill?—It has not; they take no action one way or the other.

1024. And they are not anxious for the Bill, either for or against it?—I believe they are not, for the reason I stated, that they are not at all likely to have any applicants.

1025. Mr. Gibson.] How long actually have you been a guardian?—I was elected in 1879-80; the previous term of office ends in a separate year from the year in which you are elected.

1026. But you were elected at the close of 1880?—At the close.

1027. Then you have been, roughly speaking, two years a guardian?—About two years.

1028. Are you of opinion that as a matter of public policy, if a man or woman has served the union faithfully for a great number of years and is worn out in the service, and their service has been blameless and upright, it is right to give them a pension or compel them to go into the workhouse as an inmate?—If their conduct had been blameless, it would be a fair case for consideration, but I am sorry to say that I have not found them blameless.

1029. You must take my question as I put it, and not as you put it. Take my proposition. Supposing a union officer, man or woman, has spent his or her whole life in the service of the ratepayers, say 40 or 50 years, and has arrived at the age of 75 or 80, and that their conduct has been uniformly good, and blameless, and that they were worn out in the service, and are no longer able efficiently to discharge their duties, is it desirable in the public interest that a public servant should be pensioned, or compelled to go as an inmate into the workhouse?—It would be a very proper question for the guardians to consider whether they should give him or her a pension.

1030. That is not my question. Do you think it is desirable for the public

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service, that that person should be given a pension, or compelled to go as an inmate into the workhouse?—Under the circumstances the guardians would be disposed to consider it.

1031. That is not my question. Do you think that it would be just and proper that that person should be given a pension or be compelled to go into the workhouse as an inmate?—The pension in the case of a woman would be so limited, according to the present Bill, that I do not think it would be worth the guardians, while to grant it.

1032. That is not my question. I must ask it again, and it is a plain one. If a union officer, man or woman, has spent his or her whole life in the service of the union, and has become worn out in the service, say 40 or 50 years, and has performed his or her duties honestly and soberly and in a blameless way, is it just and expedient that that public servant should be given a pension, or should be compelled to go into the union workhouse as an inmate?—I think if all the circumstances regulating the conduct of that official were as you put them, she would not be entitled to a pension, because she would have saved a sufficient competence to prevent her going into the workhouse.

1033. Then you are against a pension in any case?—I might not be.

1034. I must put the question again. Will you state the case to the Committee where you consider that such a person would be entitled to a pension?—There was a case in which I would have voted for a pension; it was the case of a workhouse master; he was 30 years in the service, and I thought he was harshly treated by the guardians for some very small fault; he was compulsorily forced to resign, and I thought it was a case in which he should have got a pension.

1035. Because he was harshly treated by the guardians?—I was then of opinion that the guardians did not treat him fairly.

1036. Then you would have given him a pension, not so much for his services as to compensate him for being harshly treated by the guardians?—I would be disposed to give it him on both grounds.

1037. To compensate him for the harsh treatment of the guardians?—And also for the length of his services; but I regard that as a very exceptional case.

1038. Can you state to the Committee any circumstances where, independently of harsh treatment upon the part of the guardians, you consider any union officers would under any conceivable circumstances be entitled to any pension whatever?—I do not know of any case.

1039. Then you are against the principle of pensions, root and branch. You are of opinion that men and women employed in the unions should save out of their earnings to provide for old age?—Practically, that is the fact.

1040. In fact, practically, is there any exception?—Except the cases I referred to.

1041. You have only referred to one of harsh treatment?—I refer to such cases.

1042. Then, except in a case of harsh treatment in dismissal, you would never give a pension?—In the workhouse with which I am connected no such case arises at all.

1043. But you cannot conceive any case where, in your judgment, a public servant is entitled to a pension unless he is harshly dismissed?—Or unfairly dismissed.

1044. Would that be a pension to compensate him for the harshness of his dismissal and not for his previous services?—No, both circumstances might be associated.

1045. You have been listening to the other evidence that has been given to the Committee to-day?—Yes.

1046. You heard Dr. Jacob give evidence to-day with reference to a doctor of the age of 82, who is now serving in the county Waterford, and who is in infirm health, who has served a vast number of years; do you not think that it would be expedient for the public service that that officer should resign?—Yes, if he is infirm and unfit for the duty.

1047. You must take my proposition again as I put it. A man of 82 and infirm, with a great deal of travelling to do, and a great deal of medical attendance;

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MR. STEWART.

[Continued.]

do you not think that it would be expedient for the public service that the man should resign?—If I were a guardian of that union I should call upon him to resign.

1048. Would not it be very harsh upon him to call upon him to resign and not give him a farthing of pension?—I do not think so.

1049. Now take another case stated by Dr. Jacob. A man 79 years of age who has served 50 years, that is half a century, and was blameless and never censured in the discharge of his duty, and is now utterly broken in health; is it not for the interest of the public service that he should resign?—I do think so.

1050. Do you consider that it would be grossly harsh and unfair to that man who has given his whole lifetime in the public service, that he should not have a fair pension?—If the circumstances are, as you say, it might.

1051. The circumstances are as I say; a man 79 years of age, who has served 50 years, and blamelessly conducted himself, is it expedient for the public service that that man should resign; would it not be grossly unfair to the public to compel him to resign and not give him a pension. Do you think so or not?—I consider if the circumstances are as you put them, and the man is unfit for duty, it would be for the interest of the public that he should be called upon to resign.

1052. So do I, but I do not ask that; I ask you, do you consider that his being called upon to resign, in fairness he is entitled to a pension?—In the case of all dispensary and medical officers I consider that they should not get any pension at all; I have a most decided opinion upon that point.

1053. Now as to your means of knowledge, have you ever had any experience in poor law work till the last few years?—I was for three years honorary secretary of the dispensary committee.

1054. Three years before you were guardian?—Previous to and during the same period.

1055. Then it is since 1879?—Yes.

1056. Your poor law experience commenced in 1879?—I had considerable experience of the Acts regulating the poor law previous to that.

1057. But not in any official capacity?—No.

1058. As a gentleman of intelligence you have read the Acts?—Yes.

1059. But you had no precise knowledge of the administrative duties until the last three years?—No.

1060. You say for the last seven years the Belfast Union has not pensioned any of their officers, did any case of pension arise in the last seven years?—No, none at all, so far as I am aware.

1061. Therefore there has been no practice, or discontinuance of the practice, because no case has arisen?—No, I believe not.

1062. Therefore there is nothing in that evidence. What was the last case?—It was the case of a man called Watt, who, I believe, had been 32 years in the service.

1063. What was he?—He was workhouse master and also relieving officer.

1064. Was he the man who you think was harshly dismissed?—Yes.

1065. And the Local Government Board did not take that view; they considered the dismissal was just, I suppose?—It was not a dismissal but a resignation.

1066. They considered that the circumstances of the case did not justify a pension?—Yes, and I believe improperly.

1067. You were not then a guardian?—No.

1068. Did you know this man that they refused a superannuation to?—Very slightly; I think I never spoke to him but twice.

1069. Then you, being a member of the outside public of Belfast, differed with the action of the Local Government Board?—Yes.

1070. Do you know anything at all officially of the previous arrangements, as to pensions, of the Local Government Board; do you know of any cases of pensions before 1877 allowed by the Local Government Board?—I know of the case which I mentioned of the rate collector called Wilson before 1877.

1071. I see that a relieving officer was given a pension?—That is the case of Jeremiah Wilson.

1072. That is a case where a pension was given?—Yes.

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1073. Can you state to the Committee any case in your own personal knowledge where the Belfast Union has refused to give a pension?—I do not know of one, for the very simple reason that I do not know of any who have applied.

1074. You are not in a position to say that the action of your own union has been in the slightest degree opposed to giving a pension?—As I said it was neutral in the matter, because the question I believe never arose.

1075. You know nothing of the practice of other unions?—Except what I have observed in the newspapers; I know nothing officially.

1076. You have not been brought into direct personal contact with other unions?—No.

1077. Are you the sole representative of the Belfast Union here?—Yes.

1078. Were you summoned by the Committee, or were you authorised by the board of guardians to attend as their representative?—I received a notice signed by the Chairman.

1079. But no resolution was passed by the board of guardians requesting you to attend as their representative, or giving you a minute of their views?—No.

1080. So that the Committee may take it that you are not giving the views of the board of guardians of Belfast, but your own individual opinion?—I am only giving my own official opinion.

1081. *Mr. Meldos.*] May I ask whether you happen to know whether your board of guardians are in favour of superannuation, or are against it?—I think they have no opinion upon the subject, the applications have been so few.

1082. Are you aware that only on two occasions have your board ever refused superannuations?—There were only two cases within 10 or 12 years, one granted and the other refused, and that case was refused by the Local Government Board, and not by the guardians.

1083. Did you take part in the deliberations of your board of guardians in cases seeking for superannuation when they came up?—I did not.

1084. Would you be surprised to hear that since 1876 there have been no less than 10 cases of applications for superannuation to your board of guardians?—In what year?

1085. Since the year 1875 or 1876?—I was not a member of the board of guardians then.

1086. Are you aware that since the passing of the Act there have been no less than 10 applications to your board of guardians for superannuation, and that of those 10 but two were refused?—I am not aware of it.

1087. So that you cannot speak as to the opinions of the board of guardians since the passing of the Act?—I cannot, that is to say up to 1879; I do know since 1879.

1088. Since 1879 how many applications have been refused by the board of guardians?—Not one, and I believe there has not been one application made since I became a guardian.

1089. What is the date of your appointment?—April 1879.

1090. Are you aware of the fact of Isabella Davidson having made an application in 1881 for superannuation?—No.

1091. According to a return which I hold in my hand she did, she was 75 years of age with 34½ years' service, and the amount she got was 40 per cent. of her salary?—What position did she hold?

1092. Bath woman?—I was not present, I do not recollect it.

1093. You came in in 1879?—Yes, in April 1879.

1094. You represent your own views in the matter, and not the views of the guardians?—I do not know whether they are the views of the guardians or not.

1095. From your knowledge of them, are you surprised now to hear that there have been but 10 applications, since the passing of the Act, for superannuation to your board of guardians, and of the 10 applications only two have been refused?—I am not at all surprised to hear it.

1096. *Mr. Biggar.*] Is it not the case that all the intern employes have been less than 10 years in the service, and that if they resigned now they would not be competent to get compensation under the proposed rule, or the rule now existing?—If they resigned now they would get no pension on account of the shortness of their service; that is, with regard to male officers. I cannot speak with regard to the nurses, they are so frequently changing.

1097. Your

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1097. Your experience is that there is a very rapid change of employé generally among the intern employé in the office?—Yes, there are very frequent changes.

1098. Mr. Boyce, the clerk, has been a long time there, has he not?—He is the oldest officer; the assistant clerk has resigned.

1099. Did he apply for a pension?—No.

1100. Why did he not apply for a pension?—He is in business for himself now.

1101. In point of fact, the allegation that the guardians have misconducted themselves in not giving pensions simply arises from the fact that only a nominal number of persons who are eligible for pensions have applied for pensions?—The applications have been very rare.

1102. Simply because a very small proportion of them could have got a pension, either under the proposed Bill or under the old rule?—There is one male intern officer in connection with the place who would be entitled to pension, from length of time of service.

1103. Then with regard to the dispensary doctors outside, in Belfast, could you form any idea as to the greatest length of time that any one of the present dispensary doctors has been in the service?—Their appointments are nearly all recent; that is to say, the oldest may be 10 years in the service, or nearly so, and the most recent appointments are not more than four or five years.

1104. Then from your experience have you ever known a case in which a dispensary doctor has retired from ill-health or from old age?—I never knew a case of a dispensary doctor resigning from ill-health or old age.

1105. You never knew a case in which one of these men have been entitled to pension rightly speaking?—No.

1106. How long have you been in Belfast altogether?—Nearly 20 years.

1107. You have never known a case in which a dispensary doctor has retired from ill-health or old age?—I have not.

1108. With regard to the intern officers, have you ever known a case in which any official in the house has retired from old age or from infirmity, during your term of office, as a guardian?—I never did, except a case I have already quoted.

1109. Is it the fact that with regard to the dispensary doctors with whom you have come in contact in the capacity of secretary of the dispensary committee, you have found a very substantial variation in their character for good conduct and attention?—My experience of the dispensary medical officers from acting over three years as honorary secretary, was, that they had a very strong inclination to attend to their private practice first, and the public afterwards.

1110. You have found them exceedingly attentive?—Yes, I would say attentive.

1111. You have seen other gentlemen who were not so attentive?—In fact all the rest.

1112. Would you think it a proper thing, that the same rate of salary should be given to the gentlemen who were very attentive, and that they should be pensioned at the same rate as others who were less attentive?—In my opinion none should be pensioned, but I would vary the amount of pension, if there is to be a pension, in accordance with the respective merits of each officer.

1113. Would you think that although no very special cause of complaint could be made against a dispensary doctor, he would necessarily be entitled to have a pension, although no very special charge was brought against him where he had been more or less negligent in the general conduct of his duties?—I would consider that although no special case might be made out if the question was submitted to the guardians, the opinion that I would express would be that he was not entitled to so much as a medical officer who was attentive and discharged his duties properly.

1114. Dr. Seton Read has been a long time in the employment of the union?—Yes, he is the visiting medical officer.

1115. He has a very large practice?—Yes, but his duties are confined to visiting at the house two hours each day.

1116. A question was asked you with regard to the visiting lines; is it a

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common or an uncommon thing in your experience for the dispensary doctors to make the claims for visiting fees?—I have known some instances in which they have reported to the dispensary committee that they have been given lines by the relieving officer, to attend cases which were not deserving cases.

1117. That is not common, is it?—It has been of frequent occurrence.

1118. What has the result been?—The result is that on the medical officer making such a report, the dispensary committee have almost invariably cancelled the line issued by the relieving officer.

1119. Then the doctor ceased to attend the patient?—The doctor ceased to attend immediately upon the cancellation of the line.

1120. How often do the committee meet?—Once a month only.

1121. With regard to the Local Government Board, to what extent do you find that they perform their duties with regard to the applications made by the guardians to them in reference to officials?—In many cases the Local Government Board are very inattentive, and I would even go so far as to say negligent in the discharge of their duties.

1122. Can you give any instances?—The workhouse master, called Whitla, who has ceased to be workhouse master, had I think 100 records or thereabouts against him for breaches of the poor law regulations, and although the guardians actually suspended him from duty upon two or three distinct occasions, the Local Government Board removed the suspension and continued him in the employment, despite the action of the guardians, which I considered a very improper thing for them to do. A return was ordered by the guardians to be made out by the clerk of the union, and that return embraced 195 sheets of foolscap with regard to his conduct.

1123. Sir Patrick O'Brien.] You have mentioned the conduct of the medical officers. Did you consider it part of your duty as a member of the poor law board of Belfast, having observed the conduct of medical officers as stated in your answer, to report any of them?—I did.

1124. To whom did you report?—It was my duty as secretary to find fault.

1125. You reported?—I found fault.

1126. You did not report?—Upon two occasions I brought the conduct of the dispensary officer before the dispensary committee.

1127. Was there a vote taken upon it?—Yes.

1128. What was the result?—The result was that they were instructed to be more particular in future.

1129. The vote was to that effect?—Yes.

1130. Did you hear Dr. Jacobs' evidence here to day?—I did.

1131. Did you concur with him when he said that it would be most desirable that old men unfit for their work, should retire, not in the interests of the men themselves, but in the interests of the poor of the district?—I think that when a public official is incompetent to discharge his duties he should be called upon to resign.

1132. Your opposition to this Bill is not owing to the state of society, evidence of which has been given by Dr. Jacob, but especially with reference to Belfast, which case is singular, being the only case in which there are no applications for retirement?—There have not been many applications for retirement.

1133. Your observations to the honourable Member for Cavan refer to the officers of Belfast, and not to the country generally, as stated in Dr. Jacob's evidence?—It would not apply to the part of the country which Dr. Jacob appears to be familiar with.

1134. To the country generally; am I right in saying that you speak of all Ireland?—I do not know that I can give a more correct answer to your question than this, that if a person is unfit for his duties that he is originally appointed to he should be called upon to resign.

1135. And obtain superannuation?—I am not sure of that; in the case of the dispensary medical officer I would not give him anything.

1136. Would the men join the medical force if they did not get a superannuation?—I think they never have any such hope.

1137. They never do think of superannuation?—No, I believe the idea is to get into a large practice by being appointed dispensary medical officer.

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1138. How far back does your experience go in connection with the dispensary?—Seven years.

1139. And upon that you pronounce the opinion in a broad strong manner as regards the whole medical arrangements of Ireland?—I speak of the medical district with which I am familiar.

1140. Mr. Daly.] You have been a poor law guardian since April 1879. I think you said?—Yes.

1141. And you have been 20 years resident in Belfast?—About that time.

1142. And you have been three years honorary secretary of the dispensary committee?—Yes.

1143. Are you of opinion that the existing law with reference to superannuation of workhouse officers meets all the requirements of the case?—I am.

1144. Have you had an opportunity of ascertaining what feeling upon that subject is held by your fellow guardians?—I cannot say that I have, as I have already said the guardians have taken no part in the matter at all.

1145. As a matter of opinion, do you consider that the law as it stands would deprive an officer of his superannuation, who, by a long term of valuable services had come to the age when he should receive it?—I have no reason to believe that any officer entitled to superannuation would be deterred, and I daresay the precedents of the past will be quoted in favour of it.

1146. Do you think that his right to compensation, if proved to the Board, would be fairly considered?—I am sure it would.

1147. Then, arguing from that fact, you think there is no necessity for a change in the existing law?—Quite so; I am fully convinced of it.

1148. You have no personal knowledge of any persons in the Belfast Union, or other unions, who, remaining in their situations, are incompetent to discharge their duties, and who only so remain because they think they would not have superannuation if they retired?—I do not know of any such case.

1149. Your experience of dispensary officers in connection with Belfast is this, that their leaving arises from one of two causes, either dismissal or compulsory resignation?—That did not apply to dispensary medical officers.

1150. To whom did it apply?—To the resident officers.

1151. As regards the resident officers, the reasons for quitting the service in the Belfast Union were through one of two causes, either dismissal or compulsory resignation?—Either one or the other, or there might be an exceptional case where an official desired to resign for the purpose of changing his position, but that is a very rare case.

1152. Then the gist of your evidence is this, that judging from your experience you think the law of superannuation as it stands is fair enough?—I am sure it is.

1153. Captain Aylmer.] Are you here representing anybody, or are you here in your own individual capacity?—I came here in answer to a notice signed by the Chairman.

1154. Did you make any application to be examined?—No.

DR. THOMAS JOSEPH MOORE; Examined.

1155. Chairman.] How long have you been in the medical profession?—I have been medical officer of the Ardee Dispensary for 26 years.

1156. Are you acquainted with the provisions of the Bill which we have before us?—I read it over. I got a very short notice, and I have no statistics.

1157. Are you acquainted with the provisions of the Bill?—Yes. I have read it all.

1158. Are you in favour of the Bill?—I am strongly in favour of it.

1159. Did you hear Dr. Jacob's evidence?—I listened to every word of it.

1160. You agree with every word of it?—I agree with it altogether.

1161. From your experience, and your knowledge, was everything which he has said, in your opinion, perfectly accurate?—Perfectly accurate. There were

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some things which Dr. Jacobs could not answer because he had no practical knowledge of them, but everything which he said was perfectly correct.

1162. Mr. Gibson.] Were you always in Ardee?—Always; it was the first place I went to, and I have stayed there ever since.

1163. I suppose, though that is so, you necessarily mix with your professional brethren, and you must be acquainted with the feeling and mind of your medical brethren in Ireland?—We canvassed this measure in the little society that we have of our own.

1164. Are you a member of that society?—Yes.

1165. What is the name of it?—It is the Louth and Meath Medical Society.

1166. And necessarily you know what is the feeling of that society of Louth and Meath?—I do.

1167. Are all the dispensary officers of those counties familiar with and in favour of this Bill?—Yes, they are all familiar with the main provisions of the Bill; compulsory superannuations, that is the provision they look for, and the only one they look for.

1168. Are you aware yourself, from intercourse with your professional brethren, and other sources of information, that many cases of hardship have existed in the medical profession from the want of some such Bill as this?—Decidedly.

1169. And that the pay, I believe, as a rule, of the dispensary medical brethren in Ireland is not such as would enable them to make provision for their old age, unless supplemented by pensions; it is necessary to have a pension?—As a rule, the pay is not sufficient for them to make a provision.

1170. Do you concur with Dr. Jacob's statement as to the efficient and conscientious discharge of the important sanitary duties having a tendency sometimes to make your dispensary officers a little unpopular?—It might be, but a great deal depends upon the man himself; there is a way of doing everything.

1171. And a way of taking everything?—Precisely.

1172. You have also, I suppose, suffered from the evil of scarlet-runners?—I have suffered a good deal. I have had a good long experience of it; perhaps it would be far better for the doctor, if he consulted his own interests, to bear with it as much as possible.

1173. To bear with it and do his best?—To do his best. The instance quoted by Dr. Jacob's of books of tickets being signed *en bloc* is highly illegal; and it is on that question that I have had to speak several times to my committee, and they certainly remonstrated with the parties, but they did not do much good. I still receive the tickets and I still attend the patients; peace above all things.

1174. I suppose a dispensary officer, as a rule, gets as many tickets as guineas in the course of the day?—Yes, and we have a great deal more to do than appears upon the tickets; we are asked to do things which we dare not decline.

1175. You must have had in addition to the local association that you have referred to, large opportunities of meeting the medical profession coming from all the counties and provinces in Ireland; are they all unanimously in favour of some such Bill as the present?—They are all unanimous in looking for something certain, even though it is so small as the scale adopted in the Bill; they want certainty above all things. All the officers to whom I have spoken have said you should endeavour to get a compulsory Act.

1176. So that you are speaking not only for your own professional brethren, but even the humbler officers?—Yes.

1177. And you know their feelings too?—I do. They are not so numerous a body as those of my own profession, but I have spoken with them.

1178. Mr. Solicitor General for Ireland.] Have you known instances of the pink tickets being given away by shopkeepers and many others as a bonus to their customers?—I will not state the animus, but I know it has been done. I have suffered from it, but I will not say it was a bonus.

1179. You mentioned that you and your medical brethren were unanimously, as far as you know, in favour of the main provisions of this Bill?—Yes.

1180. I should like you to state in your own words what you consider the main principle of the Bill?—The main principle of this Bill is, that we shall get superannuation

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superannuation first of all, and next that the superannuation will be made compulsory; it is quite immaterial who are the donors provided we receive.

1181. Mr. Meldou.] I understand the medical officers are willing to adopt the scale provided the giving of the pension, and the amount of the pension is made compulsory upon the guardians; is not that so?—Yes.

1182. Are you aware that the law, as at present framed, leaves it discretionary with the guardians either to withhold the pension, or to give any pension they like, subject to the control of the Local Government Board?—Yes.

1183. I understand that the medical officers are unwilling to accept that?—Yes, I have a very liberal board, and I speak, having a board who have always acted most liberally; still that is the feeling, and I cannot tell you why it is.

1184. But they are opposed to discretion being given to the guardians?—Yes, they have the uncertainty hanging over them.

1185. They wish to have the certainty of getting a pension at the lower scale, which is known as the Civil Service scale?—Yes, the board of guardians taking them in their personnel, change so frequently, that there is an uncertainty about it.

1186. Mr. Diggar.] Are you aware that by the present plan it is proposed to make it compulsory upon the guardians to give superannuation at a certain rate, neither higher nor lower?—Yes, I am aware of that.

1187. Would you not think it a very unfair thing that a gentleman who has been very attentive to his duties, and made himself very popular with the dispensary committee, should get paid the same rate of pension that a gentleman got who made himself very disagreeable, and more or less neglected his duty?—I think they prefer even to put up with that annoyance.

1188. Do you not think that it would be unfair?—I do think it would be unfair in the way you put it, but we have consented to sink the idea.

1189. We are here more or less as arbitrators; you think in principle it is unfair to make both sets of men take payment at the same rate?—Yes, but my impression is that a doctor who will not do his duty, or who is not doing his duty, should not be allowed to hold office. I would first have a man do his duty and then reward him.

1190. Do not you know that there are all sorts of grades; there is a man who is very inattentive; a man slightly inattentive; and a man who is not smart; a man who is smarter, and other men who are very agreeable, attentive, and clever; is it proper that all these different grades should be paid upon the same principle? I assume that these are all gentlemen entitled to more or less pension, and that they are not perfectly inefficient; if they are perfectly inefficient, they should be dismissed; but on the other hand many men may not be entitled to dismissal, though they are not of the very highest class?—If your rule guided them in the fixing of pensions, I would decidedly agree with you, but on the contrary the men that I have known who did not receive pensions were men of first-rate character, not very long service, but fairly long service; and simply because the guardians considered they had means they refused them. One man to my knowledge was refused because the guardians thought he had means. Sometimes they have means, and sometimes they have not. Dr. Massey, of Ravensdale, had not means, and they rejected his case because they thought he had.

1191. Sir Patrick O'Brien.] You do not think members of poor law boards as a rule are competent to draw the nice distinctions which should be drawn as to the relative capacity of men?—I think they could form a fair judgment of who is serving well and who is not.

1192. That is not the point which the honourable Member for Caran asked you; he said there are three grades, some good, some better, and some worse; he was asking whether it was a good tribunal to make such a distinction?—No, I do not think it is.

1193. Mr. Callan.] You say you have a very liberal board of management?—Yes.

1194. And personally you have no fault to find with them?—No.

1195. Therefore your opinion will be the more valuable, as it is founded upon your observation of the working of the Act in the northern portion of the County

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Meath and County Louth. I may ask you this, in what respect, in your opinion, does the present system work unfairly and unsatisfactorily, first as regards the officers?—With regard to the officers they are afraid to resign owing to the uncertainty of being pensioned, and they hold on for a number of years, when they should be relegated to private life. If they had any certainty of pension they would resign, and not hold on doing duty. It would be quite impossible for a man advanced in years, or suffering from any physical defect to do dispensary duty; for instance, my district, an immense district like mine, he could not do.

1196. That is some nine miles in length, I believe?—I suppose I go eight miles in one way and five miles in another, and three miles in another direction, and four in another.

1197. How would it act injuriously as regards the public?—The public are not properly served when that happens.

1198. What are the usual causes of refusal of the guardians to give pensions?—There are many causes for it. The guardians individually are transitory people, and they come in over a man who has been a long time in duty. These men have not the same wish as the men who elected him. They may have a dread that their constituents will be vexed with them for increasing the rates, and even though they think the pension would be perfectly called for, and fair, they are still afraid to grant it, because the position of a guardian is one that is coveted more or less in the country, and they would not like to be ousted in the coming election. Sometimes their finances are low, and there are a variety of reasons, independent of political and religious influences, which you cannot shirk, but which do play a very serious part in the granting of the pension.

1199. Do you think that the proposal to make the rate a general rate over the country is an advantageous one?—I do think it is from what I have learnt. I am not sufficiently up in the figures to answer the question.

1200. With reference to the average age of officers of unions; taking the masters, matrons, nurses, and clerks of unions, is not 30 years rather a low average?—We have nuns as nurses.

1201. And as far as you know in your district, what is the age of the medical officers?—All the medical officers were under 30 years of age; one was appointed at 23 just as he came.

1202. So that the other officers have a higher average of age than there is in your district, for the masters, matrons, and the clerks?—The schoolmasters are younger.

1203. Taking into consideration the fact that the masters, the matrons, and the clerks generally, enter office after 30 years of age, do you not think that the Civil Service scale would not unfairly?—I would like very much if they could get more, but all I can say is, that I consulted one master, and he preferred taking even this reduced scale, as a certainty.

1204. So that you think he would prefer the reduced scale with a certainty, rather than the chance of the higher scale?—Yes, as far as I could gather.

1205. Do you think that if the scale was made higher, and the pension made compulsory, it would in any degree be objectionable, as far as you know, to the guardians?—It would increase the rates.

1206. Still you do not think, apart from all personal consideration, that there would be any insuperable objection upon the part of the guardians to a compulsory Superannuation Act?—As far as the compulsion goes, I think there are many guardians who would be glad if it was made compulsory, inasmuch as it would save them from the attacks of outsiders who are in opposition to them, and who always wish to cavil at what they do.

1207. In your county you have rather a high class of guardians, have you not?—Yes.

1208. And a high class of officials?—Yes.

1209. And you believe that under those circumstances there would be no feeling of dissatisfaction amongst them?—No.

1210. Of course while you have expressed no opinion as to the discretion vested by the proposed Bill in any person, you would wish that the Local Government Board should have no more discretion than the poor law guardians?

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dians?—I am speaking for myself; but if I am to speak for the medical officers, not for any other body, they would prefer that the Local Government Board should have the control, as they place such implicit confidence in them.

1211. You think they would prefer it?—Yes.

1212. As long as the officer fulfils his duty without complaint, or without cause for complaint, are you of opinion that there should be no more discretion vested in the Local Government Board than the Poor Law Board, but that the officer should be certain of his pension on doing his duty?—Yes.

1213. And that there should be no power in the Local Government Board any more than in the poor law guardians to deprive a doctor of his pension, so long as he has performed his duty and fulfilled his part of the contract?—Yes; but it might be that the guardians would have to state that fact to the Local Government Board, and the guardians would first have to satisfy themselves that that was the case.

1214. When you object to giving the guardians discretion to withhold this pension, you would equally object to the Local Government Board having the power to withhold it?—Yes, unless on fair grounds.

1215. And you would give to boards of guardians as well as to the Local Government Board power to withhold the pension if they could bring forward fair grounds for doing so?—If any man merits superannuation let him have it, quite immaterial of where it comes from.

1216. Do you not consider that if an officer has acted in a district for the necessary number of years without complaint, the fact of his having so acted without censure is a proof that he has fulfilled his part of the contract?—Yes, as a general rule that would be so.

1217. Mr. Daly.] You have been 26 years in charge of the Ardee Dispensary?—Yes.

1218. But Ardee Dispensary is your whole experience as a poor law medical man?—I have had frequently to do with others.

1219. I speak of the poor law; you have never been in any other dispensary than Ardee?—No, except to do a brother's work occasionally.

1220. You are responsible to the dispensary committee, are you not?—Precisely.

1221. And you do not come in contact with any member of the board, other than the dispensary committee, except at isolated times?—As sanitary officer I am continually with the board; I have to write to them frequently.

1222. I am speaking of personal contact; you have more contact with the members of the dispensary committee than with any other member of the board?—Yes, as regards anything relative to my dispensary.

1223. What is the population of Ardee?—It is something under 3,000; it has not come up to that figure yet.

1224. How many members compose the usual quorum of the dispensary committee?—Two; average attendance, three.

1225. How often do they meet?—Once a month.

1226. Is there, as a matter of fact, usually many more members than a quorum?—No.

1227. Your routine business, in your experience, is conducted by three members of your dispensary committee?—They are not always the same three.

1228. In answer to the Right honourable Member for Dublin University, you said a while ago that you had conferences with the Medical Society, and you thought the majority of them were in favour of this Bill, as you are yourself?—Yes.

1229. You were interrupted when you said that there was a provision which they looked for, which was the only one they looked for; what was that provision?—That it would be compulsory.

1230. That is to say, that the superannuation should be granted?—Yes; I took no note of these things. I am only giving you the general result of my memory upon the occasion.

1231. I am only asking you a general question upon it; but I suppose your motive for taking the compulsory superannuation that you would get under the proposed Bill as against the possible larger superannuation that you would get

11th August 1882.]

Dr. MOORE.

[Continued.]

from the board, arises simply from the old adage, that a bird in the hand is worth two in the bush; is not that the general proposition?—Yes.

1232. You say, under the proposed Bill I will get so-and-so, and I would sooner have that than the possibility of trusting to the board?—Yes; a circumstance occurred about three years ago which shook our faith in the guardians very much; they proposed a reduction in all our salaries, and had for the Local Government Board they would have carried it out, and we naturally became more attached to those who took our part than those who attacked us.

1233. As regards a man standing well with the board of guardians of your union, is it your experience that a man with tact, like yourself, for I know you are a man of tact, would have any difficulty in standing fairly well with his board if they were composed of the average kind of reasonable men?—Do you mean by standing well, success in getting a pension?

1234. No; you were asked as regards the question of popularity with the board, whether the doctor might not get into conflict as to the question of the red tickets and relief tickets; what I want to ask is this: would there be much chance of a man of ordinary tact getting to loggerheads with his board upon such questions as relief tickets?—It is a frequent source of conflict.

1235. But you have not done so, as a matter of fact?—Certainly not, latterly.

1236. You describe your board as a very liberal board?—Yes; I considered at one time it was the most liberal board.

1237. Do you mean by that when you call them a very liberal board that they would fairly entertain any reasonable claim made to them?—Always; until the time I mentioned, when that incident occurred about reducing the salaries, they gave the greatest consideration to any application made by their officers.

1238. Have you any doubt that after effluxion of time, say when your 26 years has got to 40, if the board were constituted then as it is now, your claim to superannuation would be fairly considered?—It is a difficult question to answer. I fear that I would get no superannuation; by very nice management it might be carried, but I fear that there would not be a general feeling in favour of it in the union.

1239. Your practical experience is only practical experience derived from the Ardee Union?—From the Ardee Union.

1240. When you speak of persons who have held on to their office because they would not get a superannuation, although they were incapable and incompetent, do you speak from actual personal observation and knowledge or from hearsay?—I know three cases of my own knowledge, and one of those only was a doctor, and he had to give in; he was dying of consumption; he came to me and he was under my care, and he would have had to enter the workhouse, but that the Medical Benevolent Society answered an appeal which I made, and granted a sum which enabled the poor man to live with his family.

1241. Was he refused superannuation?—I think he was. I will not be positive, but I know the man was penniless when he came to me.

1242. Do you know the length of time that he had served?—He must have served 10 or 12 years.

1243. But you cannot speak with any certainty upon that subject?—I cannot say positively.

1244. Captain *Aylmer*.] With regard to your remark, that you feared, if you stayed there 40 years, and things were the same then as at present, you would not get a superannuation allowance, can you give the Committee any reason why you think you would not?—A very common answer, sometimes given, sometimes falsely, is, "You are too well off; you do not want it."

1245. Do you think, from general information, that there would be a refusal in other dispensary districts?—The guardians refuse, frequently, because they think the man too well off; they sometimes make a mistake in that respect; they did in Dr. Massey's case.

1246. You said that lately you have lost confidence in the guardians on account of a proposed reduction of the salary?—Our faith was shaken in them, because we never dreamed of their doing such a thing.

1247. Do

1247. Do you think that the medical officers in Ireland would prefer to have their cases adjudicated upon as regards superannuation, by the guardians alone, or by the Local Government Board?—I think they would prefer the Local Government Board, because the guardians sitting there as a Board are not so independent as is generally imagined; they are subject to opposition and outside influences that the Local Government Board rise above altogether; the men who would be well disposed to give a pension are afraid to offend their constituents.

1248. You mean to say that the Local Government Board would be independent of local influences?—Yes.

1249. You have said, four or five times, that the medical officers with whom you have consulted, and, in fact, all officers of unions wished for this Bill, because of the certainty it gave them; in that case, I presume, you would like to leave out the words "not exceeding"?—Yes, it would destroy it altogether.

1250. "An annual allowance not exceeding" so much; you prefer an annual allowance of so much; that would make it certain?—Yes.

MR. J. D. COPE, Examined.

1251. *Chairman.* You are clerk of Rathdown Union, are you not?—I am.

1252. How long have you held that position?—I have been 33 years in the service, and I have been connected with Rathdown for over 27 years.

1253. How long have you been at Loughinstown?—Twenty-seven years.

1254. Where were you before?—In Skillelagh, County Wicklow, and Celbridge, in County Kildare.

1255. Are you in favour of this Bill?—Yes.

1256. Are you in a position to represent to the Committee the opinion generally of union officers in Ireland in regard to this Bill?—The opinion of the union officers, as gathered by me in my capacity as one of the honorary secretaries of the Union Officers' Association, is, that some measure is necessary to be passed in order to secure superannuation to officers of long and faithful service.

1257. Is it your opinion that the existing system has worked very unfairly with respect to union officers?—To very many of them.

1258. You think that the proposals of the Bill will meet fairly the expectations of the union officers, and they think it a fair proposal?—I could answer that question by stating the views of the association as regards the Bill as originally introduced, and the amendments which the association thought it would be wise for Parliament to adopt in order to secure to them a certainty of superannuation.

1259. You are aware that the Government have consented to introduce certain changes into the Bill as it originally stood?—I am aware of that.

1260. And you think that those proposals are fair and equitable to the union officers generally in Ireland?—I do.

1261. You are aware that this morning the Government announced that they would make a further change with reference to the Bill?—I am.

1262. And that they would propose to make it obligatory upon the boards of guardians to grant pensions; to leave to the Local Government Board only the power in regard to the pensions awarded by the boards of guardians which they already have?—Yes.

1263. And you approve of that change?—Yes.

1264. The scale which has all along stood in the Bill, the Civil Service scale, do you approve of that?—I think the union officers should be placed at all events in the same position as the medical officers of unions. Personally, I would not

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Mr. COPE.

[Continued.]

require it, but I am obliged to make that statement owing to representations made to me by several union officers in Ireland, who are now of advanced age, but not of sufficiently long service to enable them to retire upon a fair allowance.

1265. Mr. Daly.] When you use the term "officers," what does that include?—All the non-professional officers; all outside the medical officers.

1266. Chairman.] As secretary to the Union Officers' Association, I believe you have prepared a table of the special cases of hardship which can be produced under the existing poor law system with regard to pensions?—I have.

1267. Will you hand it in?—Yes. (*The same was delivered in.*)

1268. Are you aware that several boards of guardians have expressed themselves favourably as to this Bill?—I am aware that many boards of guardians have done so.

1269. Do you know at all how many?—I have made no tabulated statement, but from my recollection of the number of cases I should say above 30 boards of guardians represented their views to the Local Government Board in favour of the Bill. I think about 20 and between 20 and 30 expressed their views favourably to the principle of the Bill, provided that certain amendments were made, such as if the pensions were paid out of the Consolidated Fund, and other amendments. Between 20 and 30 were of that class, and 20 more took no action, but merely marked the petition "Read," and others petitioned against the Bill.

1270. In the cases of the boards of guardians who objected to the Bill, is it not the fact that several boards objected to the Bill because it would throw an additional burden upon the rates?—I believe that was the principal objection.

1271. And is it not true that they suggest that in the event of the Bill passing, the increased charge should be thrown upon the Consolidated Fund?—Some boards of guardians have so expressed themselves.

1272. That being so of several, does it not appear that the boards of guardians generally, do not deny that a necessity exists for a change in the existing system, and that they object to the proposed changes in this Bill simply on account of financial considerations?—I think financial considerations were the most prominent reasons for the guardians objecting to the Bill in its form as introduced.

1273. Mr. Healy.] When the honourable Chairman asked you if you approved of the principle of the Bill, you simply said yes thought that some amendment of the law was required to give the poor law officers pensions; but you said, as I gather, that you did not approve of the principle of sixtieths, and that the other officers as well as the medical officers should have something added to their years of nominal service?—Yes, that is the opinion of the union officers, that, at all events, they should be placed in the same position as the medical officers, by having a certain number of years added to their years of service, for many reasons. We say that it is unfair to regard us as Civil servants amongst which is the advanced age at which poor law officers enter the service. The average ages will probably be between 26 and 30.

1274. I gather that the principle of sixtieths is in your view objectionable to the union officers outside the medical officers; would you prefer fiftieths?—I think the sixtieths would be a fair proportion to give, with the number of years stated in Clause 6 added.

1275. If Clause 6 was extended to the other officers you think it would meet the case?—Yes.

1276. My question is supposing that Clause 6 was dropped altogether, and the sixtieths turned into fiftieths, would it meet the view of your officers?—It would be more preferable, but I am not in a position to say how far the proposition would meet the views of the officers, because I have not got instructions to that effect.

1277. With regard to the existing superannuation enactments, do you think that the officers generally would prefer the option of retiring under the old legislation or under the new?—Most decidedly under the new.

1278. In any case would it be desirable to allow them an option?—No, the officers prefer the certainty of having superannuation granted to them according to the scale laid down by the Bill, with the 10 years added.

1279. As

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Mr. CORN.

[Continued.]

1279. As between the Local Government Board and the Board of Guardians having this power, which do you prefer?—It is immaterial to the association what machinery is employed, so long as security is given to the officers, and superannuation awarded them after long and faithful service.

1280. You mean to say if a man is to get 5*l*, it does not matter out of whose pocket it comes, but that is not my point; supposing it is left optional, do you prefer to deal with the Local Government Board or with the guardians?—So far as my own board is concerned, to me it is immaterial, but the union officers would have more faith and confidence in the Local Government Board.

1281. Mr. Daly.] The honourable Chairman elicited from you that many boards of guardians were in favour of the Bill, and you went on further to say that there were 13 boards of guardians in favour of the Bill as originally introduced?—Yes.

1282. And that 20 were in favour of it, provided the pensions come out of the Consolidated Fund?—Yes.

1283. Then, strictly speaking, they are not in favour of the Bill, because the Bill does not propose that?—I take it that they were in favour of the principle of the Bill, that is making the measure a compulsory one upon boards of guardians.

1284. In fact what they did express themselves in favour of, was that the pensions should come out of a consolidated fund, and that was not in the Bill?—I do not think I made myself clearly understood; what I gathered from the union officers was this: where the boards of guardians approved of the Bill, provided the pensions were paid out of the Consolidated Fund, they approved of the principle of the Bill, that is to say, they approved of the measure being compulsory.

1285. Was not their approval simply this: we will be generous if it costs us nothing?—It comes to that, I believe.

1286. Then there were 20 that took no action at all?—Twenty took no action at all.

1287. You have only accounted for 70 out of 163?—In considering over the question I think I have underrated it in my calculation; between the guardians who petition in favour of it, and those who took no action, and those who stated their willingness to accept the principle of the Bill, provided the pensions were paid out of the Consolidated Fund, there would be 90 unions out of 163.

1288. Then, in effect, you are not able to answer the question of the Chairman, that anything like a moiety of the boards of guardians were in favour of the Bill as it stands?—Only in the manner in which I have represented it to you.

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A P P E N D I X.

Appendix, No. 1.

PAPERS handed in by Mr. Robinson, 10 August 1882.

CIRCULAR.

(10,253.)

Dublin Castle, 22 April 1880.

Sir,
 WITH reference to the "The Local Officers' Superannuation Act (Ireland), 1869," which enables various public bodies named in the Schedule annexed thereto to grant at their discretion, with the consent of the Lord Lieutenant, or other Chief Governor of Ireland, to any officer in their service whose whole time shall have been devoted to such service, and who shall have become incapable of discharging the duties of his office, an annual allowance not exceeding in any case two-thirds of his salary, I am directed by the Lord Lieutenant to acquaint you, that difficulties having in some instances arisen respecting the amount of Superannuation to be granted, His Grace considers it expedient to state for the information of _____

that he will, in the exercise of the discretion vested in him, in giving his consent to the grants of Superannuation Allowances under the before-mentioned Act, be governed, as far as circumstances may permit, by the rules applicable to the Superannuation of the Civil servants of the Crown under "The Superannuation Act, 1859, viz. :—

- * To any person who shall have served 10 years and upwards, and under 11 years, an annual allowance of 10-60ths of the annual salary and emoluments of his office;
- * For 11 years, and under 12 years, an annual allowance of 11-60ths of such salary and emoluments;
- * And in like manner, a further addition to the annual allowance of 1-60th in respect of each additional year of such service, until the completion of a period of service of 40 years, when the annual allowance of 40-60ths may be granted; and no addition shall be made in respect of any service beyond 40 years."

I am, however, to observe that, in the case of officers for the discharge of the duties of which professional or other peculiar qualifications, not ordinarily to be acquired in the public service, are required, and to which it is for the interest of the service that persons should be appointed at an age exceeding that at which public service ordinarily begins; a number of years not exceeding 10, will be added to the period of actual service for the purpose of computing the amount of the retiring allowance according to the rule applicable to Civil servants of the Crown, under the 4th section of the above-mentioned Act.

I am, &c.
 (signed) T. H. Burke.

SUPERANNUATION OF POOR LAW OFFICERS.—SCALE FOR ALLOWANCES.

Local Government Board, Whitehall,

14 December 1880.

Sir,

I AM directed by the Local Government Board to state that their attention having been drawn by the diversity of practice existing amongst Boards of Guardians with respect to the Superannuation Allowances proposed to be awarded to Poor Law officers on their ceasing to hold office, the Board have considered it necessary to review the subject generally, in order to lay down, as far as practicable, the rules which should be followed in such cases. As these grants affect not only the present but future rate-payers also, the consent of the Board, as the guardians are aware, has been made essential to their validity, and consequently it is incumbent upon the Board to satisfy themselves that the sums proposed are reasonable and proper.

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The

The Board have found that, in many instances, pensions have been submitted for their approval which were quite disproportionate to the length of service of the retiring officer; and that, in some cases, where the service has been comparatively short, and the officers have been appointed at very advanced ages, amounts have been proposed to be awarded equal to two-thirds of their salary and emoluments, being the largest amount which could have been awarded under the Act after a period of 40 years' service. The refusal of the Board to ratify these grants has not only caused disappointment to the officers, but sometimes has led to lengthened correspondence with the guardians.

In order, therefore, to guard against these results, the Board think it right to inform the guardians of the definite rule which they have considered it necessary to lay down, and by which, under ordinary circumstances, they will in future be guided in dealing with this subject. In arriving at a decision it has been unnecessary for the Board themselves to originate a scale, inasmuch as the Legislature, in the statutes dealing with pensions in the Civil Service, and in the case of the officers of certain local authorities in the metropolis, has clearly indicated the principle which should be adopted in awarding allowances of this kind.

Following, then, the scale of allowances prescribed by the statute of the 29th Vict. c. 31, the amount which may, in the opinion of the Board, be properly awarded to an officer who has served with efficiency for 10 years or more, and for less than 11 years, will be an annual sum equal to 10-60ths of his salary and emoluments at the time of his ceasing to hold office, with an addition of 1-60th in respect of each additional year of service, until a maximum of 40-60ths, or two-thirds, be reached, which is the highest amount authorised by the 27th & 28th Vict. c. 42. At the same time, there may be instances where, for the due and efficient discharge of the duties of certain offices, professional or other special qualifications are essential, and where the persons having such qualifications have been appointed when beyond the age of 30 years. In these cases a number of years not exceeding 10, may, for the purposes of the computation, be added to the number of years during which the officers have actually served.

It is, of course, optional with the guardians whether, if they make a grant, it shall be on a lower basis than that above indicated, or shall be for a limited term only.

I am, &c.
(signed) John Lambert,
Secretary.

The Clerk to the Guardians.

SUPERANNUATION ALLOWANCES.

Local Government Board, Dublin,
25 November 1881.

Sir,
THE attention of the Local Government Board for Ireland has been drawn to the circumstance that great diversity of practice exists among Boards of Guardians in reference to the amount of Superannuation Allowances proposed to be awarded to officers employed under the Poor Law and Medical Charities Acts on their ceasing to hold office.

The maximum Superannuation Allowance that can be granted to any officer, whatever his length of service may have been, is two-thirds of the amount of his salary and emoluments, but the Board have found that, in some instances, allowances have been proposed which were quite disproportionate to the length of service of the retiring officer, and equal, or very nearly equal, to two-thirds of his salary and emoluments, even though his period of service may have been comparatively short.

It must be borne in mind that these grants affect not only the present but future ratepayers also, and, the consent of the Board being made necessary to the grant of any Superannuation Allowance under the Union Officers' Superannuation Acts, the Board have thought it right to take the subject into consideration, with a view to laying down some general scale for their own guidance in dealing with pensions submitted for their approval, and they have referred to the provisions of the Civil Service Superannuation Act of 1859 as indicating the principle which might properly be adopted in dealing with such cases, which is to fix the amount mainly with reference to the length of the officers' service.

The Board, therefore, think it expedient to state, for the information of Boards of Guardians, that in giving their consent in future to Superannuation Allowances proposed to be granted to Union Officers they will be governed, as far as circumstances may permit, by the rules applicable to the superannuation of the Civil servants of the Crown under the Superannuation Act of 1859; following, then, the scale of allowances prescribed by that

that Act, the amount which may, in the opinion of the Board, be properly awarded to an officer who has served with efficiency for 10 years and upwards, and under 11 years, will be an annual sum equal to 10-60ths of his salary and emoluments, and an addition of 1-60th in respect of each additional year of service until a maximum of 40-60ths, or two-thirds, be reached, which is the highest amount authorised by the Union Officers' Superannuation Acts.

In cases where, for the due and efficient discharge of the duties of any office, professional or other special qualifications are required, a number of years not exceeding 10 may, for the purpose of the computation, be added to the number of years during which the officer has served, provided such addition does not raise the amount to be awarded above the maximum amount of two-thirds of his salary and emoluments.

It will, of course, be open to the guardians, if they see fit, to propose a grant on a lower scale than that above indicated.

The Board take this opportunity to state that they have observed, with regret, that in some unions the guardians have refused to grant Superannuation Allowances to old and deserving officers whose services have fully entitled them to consideration in that respect, and this course has not only afforded just cause for complaint, but has also induced officers who have become inefficient by reason of age and infirmity to struggle on in their situations while physically unable to discharge their duties with activity and with advantage to the public service.

The Local Government Board believe that motives of economy, and a fear of burdening the rates with large pensions, have induced Boards of Guardians to adopt the course referred to; and the Board trust that, when guardians who have hitherto declined to grant pensions are aware that Superannuation Allowances to their officers will only be sanctioned on a fair and reasonable scale, they will not refuse to entertain applications which may be made to them by deserving officers who are obliged to leave their service, and whose cases may properly be dealt with under the provisions of the Acts herein referred to.

By order of the Board,

To the Clerk of each Union.

(signed) *H. Banks, Secretary.*

Appendix, No. 2.

PAPER handed in by Mr. Cope, 11 August 1882.

UNION OFFICERS' SUPERANNUATION (IRELAND) BILL.

IRISH POOR LAW OFFICERS' ASSOCIATION.

Sir,
 At the suggestion of many friends of, and sympathisers with, union officers in Ireland (in connection with the administration of the laws which regulate their Superannuation Allowances), I beg to submit for your kind perusal the annexed Statement in support of their claims to have the laws so amended as to give to all classes of officers protection against any unjust or arbitrary action on the part of Boards of guardians in dealing with Superannuation Allowances to their officers in deserving cases.

Office, 57, Dame-street, Dublin,

April 1882.

I have, &c.

(signed) *Joseph D. Cope*,
 Clerk Rathdown Union, Hon. Assistant Sec.
 Irish Poor Law Officers' Association.

To Esq., M.P.,
 House of Commons, London.

STATEMENT of CASES where BOARDS of GUARDIANS of POOR LAW UNIONS in Ireland refused to Grant to their Officers SUPERANNUATION ALLOWANCE, and of CASES where the Amount awarded was insufficient to support them.

In some of these cases it will be found that the unfortunate officers were obliged to seek shelter in the workhouse as paupers, or to become recipients of "Out-door Relief."

This Statement is prepared and printed by order of the Irish Poor Law Officers' Association, for circulation amongst Members of Parliament.

The names of unions and of officers are omitted from this list, lest perhaps the disclosure of these particulars might cause the officer who supplied the information to be viewed with the displeasure of his board of guardians, but the names of the unions to which each case applies can be had on application to the Clerk of Rathdown Union, Loughlinstown.

No. 1. *Matron*.—70 years of age, 27 years in the service. The guardians of this union abhor the idea of granting superannuation to a public officer. This poor woman has been for several years in receipt of poor law relief as a pauper in the workhouse.

No. 2. *Dispensary Medical Officer*.—66 years of age, and many years in the service. This officer was recommended by his dispensary committee for superannuation, but guardians refused for some reason as No. 1. He suffered from heart disease, and lameness of both feet, and was supported by his relations until death.

No. 3. *Workhouse Tailor*.—71 years of age, and many years in the service. This poor old man suffered from paralysis, was in receipt of out-door relief, and afterwards became an inmate of the workhouse.

No. 4. *Nurse*.—60 years of age, 17 years in the service. No reason given for refusal of superannuation, but it was believed she was refused on the grounds that, if granted in this case, other officers would be applying for it.

No. 5. *Clerk of Union*.—23 years in the service. Refused superannuation without any reason being assigned.

No. 6. *Fever Hospital Nurse*.—68 years of age, 24 years in the service. Superannuation refused on the grounds that a portion only of her term of service had been given in that particular union. She has since been obliged to seek refuge as a pauper in the workhouse.

No. 7. *Relieving*

No. 7. *Relieving Officer*.—55 years of age, 13½ years in the service. No cause assigned for refusal of superannuation. He is at present an inmate of the workhouse, being granted but 6*l.* a year, although entitled to 16*l.* 1*s.* 4*d.*, as two-thirds of his salary.

No. 8. *Fever Hospital Nurse*.—70 years of age, 20 years in the service. Was kept in office, and a substitute paid, for years after she was incapacitated by age, &c., until death, rather than sanction a precedent for superannuation.

No. 9. *Porter*.—74 years of age, 15 years in the service. Was kept in office when unfit for duty from age, rather than grant superannuation.

No. 10. *Porter*.—70 years of age, 10 years in the service. Also retained in office after age rendered him unfit for duty, to avoid granting superannuation.

No. 11. *Dispensary and Workhouse Medical Officer*.—65 years of age, 25 years in the service. He was called upon to resign, and would have been entitled to superannuation, but he did not seek for it, as the guardians would not entertain his application.

No. 12. *Shoemaker*.—50 years of age, 10 years in the service. No reason assigned for refusing superannuation.

No. 13. *Dispensary Medical Officer*.—65 years of age, 15 years in the service. Superannuation refused. No cause assigned.

No. 14. *Relieving Officer*.—60 years of age, 24 years in the service. Refused superannuation on the grounds that his entire time was not devoted to the duties of his office.

No. 15. *Porter*.—60 years of age, 18 years in the service. Superannuation refused without assigning cause. Himself and family became paupers in the workhouse, where he remained till death.

No. 16. *Porter*.—60 years of age, 8½ years in the service. Refused superannuation on the grounds of insufficient service.

No. 17. *Rate Collector*.—82 years of age, 30 years in the service. Superannuation refused on the grounds of economy.

No. 18. *Master*.—85 years of age, 27 years in the service. This officer served 17 years in one workhouse and 10 years in a second. He was refused superannuation in the latter union, although induced by promises of pension to resign office.

No. 19. *Master Tailor*.—65 years of age, over 10 years in the service. No cause assigned for refusing superannuation.

No. 20. *Relieving Officer*.—75 years of age, 13 years in the service. As this officer lived with his son, who was in good circumstances, the guardians did not consider he required superannuation.

No. 21. *Dispensary Medical Officer*.—60 years of age, 32 years in the service. Refused superannuation on the grounds of economy, and the guardians believing him not to be in need of it.

No. 22. *Shoemaker*.—68 years of age, 50 years in the service. Superannuation refused on the grounds of the necessity of saving the rates. He entered the workhouse as a pauper, where he remained till death.

No. 23. *Infirmity Nurse*.—65 years of age, 10 years in the service. No cause assigned for refusing superannuation. Resolution to that effect not seconded.

No. 24. *Fever Hospital Nurse*.—50 years of age, 24 years in the service. Superannuation refused. No cause assigned. In this case the minority of the board moved resolution to amend the law (*see* Minutes of that Union, 4th June 1874).

No. 25. *Dispensary Medical Officer*.—60 years of age. Refused superannuation, the grounds being that the dispensary committee objected, as it would, at that time, have been a district charge.

No. 26. *Porter*.—70 years of age, 15 years in the service. The guardians considering he should have saved sufficient money out of 20*l.* a year, refused him superannuation, and he became a recipient of out-door relief some time after.

No. 27. *Nurse*.—65 years of age, 30 years in the service. Superannuation refused for same cause as in previous case.

No. 28. *Relieving Officer*.—70 years of age, 33 years in the service. In this case the guardians refused superannuation on the grounds that the officer had saved some money, and did not require more.

No. 29. *Workhouse Master*.—67 years of age, 24 years in the service. No cause assigned for refusing superannuation.

No. 30. *Fever Hospital Nurse*.—70 years of age, 28 years in the service. No cause assigned for refusing superannuation.

No. 31. *Master Tailor*.—78 years of age, 40 years in the service. Superannuation refused. No cause assigned. Has since received out-door relief.

No. 32. *Master Tailor*.—60 years of age, 13 years in the service. Superannuation refused, the majority of the guardians being averse to granting such to union officers. He was obliged to enter the workhouse as a pauper, and is still an inmate.

No. 33. *Dispensary Doctor*.—70 years of age, 47 years in the service. No cause assigned for refusing superannuation.

No. 34. *Workhouse Baker*.—61 years of age, 16 years in the service. He was granted 10s. per week by resolution of the board, which was afterwards rescinded. Office abolished.

No. 35. *Infirmary Nurse*.—Amount of salary and emoluments, 21 l. Allowance granted 6 l. per annum. Is now a pauper in the workhouse, owing to the insufficiency of superannuation.

No. 36. *Maiden*.—65 years of age, 27 years in the service. The guardians thinking she had money saved, declined to grant her superannuation.

No. 37. *Porter*.—81 years of age, 21 years in the service. Granted 8 l. per annum. Died in workhouse, allowance being insufficient to support him.

No. 38. *Hospital Nurse*.—70 years of age, 22 years in the service. Died a pauper in the workhouse soon after learning she had been refused superannuation, for which no cause was assigned.

No. 39. *Poor Rate Collector*.—46 years of age, 18 years in the service. Superannuation refused for not having given all his time to his duties.

No. 40. *Poor Hospital Nurse*.—50 years of age, 22 years in the service. No cause assigned for refusing superannuation.

No. 41. *Dispensary Medical Officer*.—60 years of age, 13 years in the service. No cause assigned for refusing superannuation.

No. 42. *Clerk of Union*.—68 years of age, 38 years in the service. No cause assigned for refusing superannuation.

No. 43. *Dispensary Medical Officer*.—Upwards of 60 years of age, 28 years in the service. The guardians "could not see their way to increase the rates by granting superannuation."

No. 44. *Poor Rate Collector*.—Upwards of 60 years of age, 25 years in the service. Ten pounds per annum proposed as superannuation in this case, but lost on a division by 15 votes to six.

No. 45. *Dispensing Medical Officer*.—74 years of age, 38 years in the service. Superannuation refused, as the guardians were opposed to the principle.

No. 46. *Shoemaker*.—70 years of age, 22 years in the service, same union. Refused superannuation on same grounds as above, and was obliged to seek out-door relief.

No. 47. *Workhouse Master*.—50 years of age, 20 years in the service, same union. Superannuation refused on same grounds as above.

No. 48. *Nurse*.—65 years of age, 32 years in the service. She did not apply for superannuation, knowing that the guardians were opposed to granting such.

No. 49. *Porter*.—75 years of age. Although for years unfit for his duties, he died in office, being afraid to resign, as he knew the guardians would not grant him superannuation.

No. 50. *Porter*.—74 years of age, 11 years in the service. He was awarded two-thirds of 8 l. per annum, being all that could be granted, but died in the workhouse, the amount of allowance not being sufficient to support him.

No. 51. *Relieving Officer or Collector*.—70 years of age, 33 years in the service. Superannuation refused on the grounds of his not having devoted his whole time to the service of the guardians.

No. 52. *Relieving Officer or Collector*.—63 years of age, 25 years in the service. Refused superannuation for same cause as above.

No. 53. *Dispensary Doctor*.—75 years of age, 40 years in the service. Superannuation refused on the grounds that he had private means.

No. 54.—Office not stated.—80 years of age, 33 years in the service. Refused superannuation on the grounds of increasing the rates.

No. 55. *Dispensary and Workhouse Medical Officer*.—60 years of age, over 18 years in the service. This officer, on retiring, was presented with a complimentary address, but when the question of superannuation was before his board the proposition was not even seconded, the

the guardians considering he had sufficient private means to support him, and did not, therefore, require any superannuation allowance.

No. 56. *Stranger Suicide of a Workhouse Official.*—Mary Ryan, infirmity nurse, Roscrea Workhouse, committed suicide on Friday. The woman, who was a spinster, had reached the advanced age of 65 years, and latterly found herself ailing. She applied for a week's leave of absence, which the guardians granted at their meeting yesterday, but hardly had they done so when the master was hurriedly called away, and returned with the intelligence that the woman had poisoned herself. The medical officer was sent for, but did not arrive till over an hour afterwards, when the unfortunate woman had expired. It appears that Miss Ryan failed in business at Roscrea 12 years ago, when she obtained the situation of infirmity nurse at 20*l.* per year. Under the proposed superannuation scale, having but 12 years' service, she would be only entitled to a retiring allowance of 7*l.* per year, and the poor woman dreaded becoming a pauper inmate of the workhouse if the guardians dispensed with her services—a fear that she more than once expressed. Deceased had access to the surgery, from which she obtained some laudanum, and, taking an overdose, put an end to her life.—“*Irish Times*,” 27th March 1882.

No. 57. *Nurse.*—Over 70 years of age, 16 years in the service. This old woman was refused superannuation, because she occasionally earned a few shillings, as a midwife, and so such, her “*whole time*” was considered by the guardians as not being given in the service of the union; she was obliged to seek refuge in the workhouse, in which she died within a few months after her admission.

No. 58. *Relieving Officer.*—Over 60 years of age, over 30 years in the service. This officer got a blow of a brick in the head, by a lunatic pauper, from the effects of which he never quite recovered. At the time of his resignation, he was an inmate of the workhouse hospital, but in consequence of being the owner of some small house property, and having assisted his wife, who was in business in a small way as a vendor of tobacco, the guardians did not vote him any superannuation whatever, inasmuch as his “*whole time*” was not given to the business of the union.

No. 59. *Porter.*—Over 70 years of age, nearly 40 years in the service. The guardians in this case gave what they believed to be the full amount the law enabled them to give, but in this view they were mistaken, and in consequence of the amount granted being so small and quite inadequate to support him, he took refuge in the workhouse, in which he is at present an inmate, and has been for years past.

No. 60. *Dispensary Medical Officer.*—64 years of age, 39 years in the service. This officer held office under the old grand jury system since 1843 to the date of the introduction of the Irish Poor Law Medical Charities' Act.

No. 61. *Nurse.*—50 years of age, over 20 years in the service. This poor woman, although suffering from paralysis, caused by repeated attacks of fever contracted in the discharge of her duty as a fever nurse, was refused superannuation, and, although no reason was officially assigned, it is well known that the refusal was caused by her having changed her religion, the majority of the board at that time being of a different religious persuasion to that to which she belonged.

In addition to the foregoing, cases have occurred where the officers remained in office until removed by death, and in other instances many officers are at present holding office although unable, from old age and infirmity, to efficiently perform their duties, sooner than resign and trust the boards of guardians to exercise with justice the discretionary power vested in them to grant superannuation; and, as illustrative of these facts, I respectfully submit for perusal, extracts from observations of clerks of unions when supplying the particulars referred to in the foregoing cases:

No. 62. *Dispensary Medical Officer.*—78 years of age, 30 years in the service. This officer would have sought retiring allowance long since had there been any probability of a moderate pension being granted. This board of guardians, on a vicious and mistaken principle, grants nothing of the kind, and has not done so for 11 years in any instance.

No. 63. *Dispensary Medical Officer.*—This officer, who died about two years since, aged 70, clung to office, as medical officer of dispensary, although incapacitated by extreme deafness, rheumatic gout, and great infirmity, and would not be allowed a penny pension.

No. 64. *Relieving Officer.*—68 years of age, 31 years in the service. This officer asked guardians, individually and privately, if he would be allowed superannuation if he resigned, and he was told in every instance, that not one penny would be allowed him, so he holds office still and will have to do so unless superannuation becomes compulsory.

No. 65. *Relieving Officer.*—64 years of age, 37 years in the service. This officer would resign at once if entitled to superannuation as a right. Another relieving officer, who died while in office from old age and debility, would have resigned years before his death were he superannuated.

No. 66. *Clerk of Union.*—This officer writes:—“I am over 60 years of age, and entered the service in 1844, but cannot yet afford to retire on superannuation, even could I claim it as a right. I hope, however, the Act will be made compulsory. At
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present any superannuation given, outside of certain unions, is more as a species of 'out-door relief as a pauper' than as superannuation."

No. 67. *Clerk of Union* writes:—"There is no officer in this union over 60 years of age; I am myself the oldest, and although I am 32 years in office if I had to go out to-morrow, I do not believe that my board of guardians would give me one sixpence superannuation, for the reason that I have never identified myself with any party."

No. 68. *Clerk of Union*.—67 years of age, 41 years in the service. This officer writes as follows:—"Age and infirmity would make resignation desirable. I am not able to dig, and to beg I am ashamed, for it is simple begging at present to look for superannuation. You would have to go from guardian to guardian exposing your poverty as a mendicant would his sores, to evoke compassion and obtain a trifle to enable you to avoid the workhouse and a pauper's grave."

No. 69. *Workhouse Medical Officer*.—78 years of age, 36 years in the service. Of this officer the clerk of the union writes as follows:—"Dr. N., the late medical officer of this workhouse, held that office from the formation of the union to the day of his death in 1876. He continued to discharge his duties as best he could up to and including the day he died. Although he was 78 years of age, feeble and tottering, he often told me he would have retired many years before, if he was sure of getting a pension, but he thought he would be refused a pension by the guardians after resignation, and so was forced to hold on to the duties of an important office, where many hundreds of sick poor were depending, not only on his skill, but also upon his mental and physical ability to use it. It is no reflection on Dr. N. to have endeavoured, as he conscientiously did, to discharge his duties to the best of his ability, with all the power of mind and body that remained after so long a public service, and at such an advanced period of life, but it is an unsatisfactory state of the law which reflects such hardship on a meritorious public officer, not to mention the weightier consideration regarding the sick poor of a populous union."

(signed) *Joseph D. Cope,*

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